

立法會
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Finance Committee of the Legislative Council

Minutes of the 24th meeting
held at Conference Room 1 of the Legislative Council Complex
on Friday, 8 February 2013, at 3:48 pm

Members present:

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)

Hon Emily LAU Wai-hing, JP (Deputy Chairman)

Hon LEE Cheuk-yan

Hon James TO Kun-sun

Hon CHAN Kam-lam, SBS, JP

Hon LEUNG Yiu-chung

Hon TAM Yiu-chung, GBS, JP

Hon Abraham SHEK Lai-him, SBS, JP

Hon Frederick FUNG Kin-kee, SBS, JP

Hon Vincent FANG Kang, SBS, JP

Hon WONG Kwok-hing, MH

Dr Hon Joseph LEE Kok-long, SBS, JP

Hon Jeffrey LAM Kin-fung, GBS, JP

Hon Andrew LEUNG Kwan-yuen, GBS, JP

Hon WONG Ting-kwong, SBS, JP

Hon Ronny TONG Ka-wah, SC

Hon Cyd HO Sau-lan

Hon Starry LEE Wai-king, JP

Dr Hon LAM Tai-fai, SBS, JP

Hon CHAN Hak-kan, JP

Hon CHAN Kin-por, BBS, JP

Dr Hon Priscilla LEUNG Mei-fun, JP

Dr Hon LEUNG Ka-lau

Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kiwok, BBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Members absent:

Hon Albert HO Chun-yan
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Martin LIAO Cheung-kong, JP
Hon TANG Ka-piu

Public officers attending:

Ms Elizabeth TSE Man-ye, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Ms Elsie YUEN	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Prof Sophia CHAN	Under Secretary for Food and Health
Ms Angela LEE	Principal Assistant Secretary for Food and Health (Health) 2
Mr Donald LI	Chief Manager (Capital Planning) Hospital Authority
Mr CHU Yim-kwong	Senior Building Services Engineer Architectural Services Department
Dr Nelson WAT	Hospital Chief Executive, Kwong Wah Hospital and TWGHs Wong Tai Sin Hospital, Hospital Authority
Mr LEUNG Koon-kee, JP	Director of Architectural Services
Ms CHAN Hoi-ming	Project Director (2) Architectural Services Department
Dr Tony KO	Hospital Chief Executive, Pok Oi Hospital, Hospital Authority
Miss Salina YAN, JP	Deputy Secretary for Financial Services and the Treasury (Financial Services)
Mr Eddie YUE, JP	Deputy Chief Executive Hong Kong Monetary Authority
Miss CHENG Ying-ying	Senior Manager (External) Hong Kong Monetary Authority
Mr John LEE, PDSM, PMSM, JP	Under Secretary for Security

Mr Billy WOO	Principal Assistant Secretary for Security (D)
Mr Corrado CHOW, IDSM	Assistant Director of Immigration (Information Systems) Immigration Department
Mr Erick TSANG	Assistant Director of Immigration (Control) Immigration Department
Miss Caroline FAN	Chief Systems Manager (Technology Services) Immigration Department
Mr Stephen SUI Wai-keung	Commissioner for Rehabilitation Labour and Welfare Bureau
Mrs Anna MAK CHOW Suk-har	Deputy Director of Social Welfare (Services) Social Welfare Department
Mr LAM Ka-tai	Assistant Director of Social Welfare (Rehabilitation and Medical Social Services)
Mr Simon KONG Ha-wing	Senior Architect Social Welfare Department
Mr Raymond WU	Principal Assistant Secretary for Commerce and Economic Development (Commerce and Industry) 2
Mr Brian LO, JP	Deputy Director-General of Trade and Industry (Commercial Relations, Controls and Support)
Mrs Louisa CHEUNG	Departmental Secretary Trade and Industry Department
Miss WONG Lam-ching	Senior Systems Manager Trade and Industry Department
Mr Arthur NG Sek-hon, JP	Deputy Judiciary Administrator (Operations)
Mr Stanley TO Sik-hung	Assistant Judiciary Administrator (Quality)

Clerk in attendance:

Mr Andy LAU

Assistant Secretary General 1

Staff in attendance:

Mr Derek LO

Chief Council Secretary (1)5

Mr Daniel SIN

Senior Council Secretary (1)7

Mr Ken WOO

Council Secretary (1)5

Mr Frankie WOO

Senior Legislative Assistant (1)3

Ms Christy YAU

Legislative Assistant (1)7

Item No. 1 – FCR(2012-13)70

**RECOMMENDATIONS OF THE ESTABLISHMENT
SUBCOMMITTEE MADE ON 4 JANUARY 2013**

The Chairman said that the item sought the Committee's approval of the three recommendations of the Establishment Subcommittee made at its meeting on 4 January 2013.

2. The Chairman put the item FCR(2012-13)70 to vote. The Committee approved the funding proposal.

Item No. 2 – FCR(2012-13)71

**RECOMMENDATIONS OF THE PUBLIC WORKS
SUBCOMMITTEE MADE ON 9 JANUARY 2013**

3. The Chairman advised that the item sought the Committee's approval of the recommendations of the Public Works Subcommittee (PWSC) made at its meeting on 9 January 2013. The Subcommittee had recommended that the items PWSC(2012-13)46 and PWSC(2012-13)47 should be considered and voted on separately at the Finance Committee (FC) meeting.

4. The Chairman put the item FCR(2012-13)71 to vote. The Committee approved the funding proposal.

PWSC(2012-13)46

HEAD 708 – CAPITAL SUBVENTIONS AND MAJOR SYSTEMS AND EQUIPMENT

Medical Subventions

13MD – Redevelopment of Kwong Wah Hospital

5. The Chairman advised that the item sought the Committee's approval of upgrading part of 13MD "Redevelopment of Kwong Wah Hospital – preparatory works" to Category A at an estimated cost of \$552.7 million in money-of-the-day prices and the retention of the remainder of 13MD in Category B.

6. Dr Helena WONG Pik-wan said that Members belonging to the Democratic Party would support the funding proposal. Dr WONG noted that it was technically feasible to construct a pedestrian subway connecting the Mass Transit Railway Yau Ma Tei Station to the Kwong Wah Hospital and asked the Administration to follow up on the provision of the facility to facilitate access of patients and their family members to the hospital.

7. Under Secretary for Food and Health (USFH) said that members' suggestions on access facilities had been referred to relevant departments for follow-up or incorporation into the detailed design of the redevelopment project as appropriate.

8. Dr Helena WONG urged the Administration to provide sufficient toilet facilities in the redeveloped Kwong Wah Hospital and suggested that the ratio of compartments in male and female toilets in public hospitals should be 1:2. Furthermore, the Administration should consider providing more special toilets for patients who required their carer's assistance when using the toilet. Ms Emily LAU made a similar comment and asked the Administration to adopt the same design principle for provision of sanitary facilities, or at an even more favourable standard than the minimum statutory requirement, for future hospitals and related public facilities.

9. USFH said that the Administration would take into account members' comments on the provision of toilets and necessary sanitary facilities in the detailed design of the redevelopment project.

10. Dr Helena WONG commented that flexibility should be built into the ambulatory care services in the redeveloped Kwong Wah Hospital in order to allow the conversion of part of the floor space for in-patient services. Dr WONG also asked the Administration to expand the manpower and service provision of the Community Memory Clinic to help patients, especially elderly

patients with dementia. Hospital Chief Executive, Kwong Wah Hospital (HCE, KWH) said that the demand and provision of services for dementia would be taken into account in the Hospital Authority's service evaluation and planning.

11. There being no further question, the Chairman put the item to vote. The Committee approved the funding provision.

PWSC(2012-13)47

HEAD 708 – CAPITAL SUBVENTIONS AND MAJOR SYSTEMS AND EQUIPMENT

Medical Subventions

73MM – Tin Shui Wai Hospital

12. The Chairman said that the item sought the Committee's approval of upgrading 73MM to Category A at an estimated cost of \$3,910.9 million in money-of-the-day prices for the construction of Tin Shui Wai Hospital.

13. Dr KWOK Ka-ki expressed support for the funding proposal. He said that the local population would rely heavily on the proposed Tin Shui Wai Hospital for various specialist services as it would become the key service provider in the district. Drawing from the experience of Pok Oi Hospital, Dr KWOK expressed concern that many of the specialist services (such as geriatric, gynaecologist and orthopedic services) might not be available upon the commissioning of the hospital. He sought assurance from the Administration that sufficient in-patient, out-patient and specialist services would be available in Tin Shui Wai Hospital to meet the local community needs.

14. USFH responded that Tin Shui Wai Hospital would be a public general hospital with a planned capacity of 300 in-patient beds and day beds, providing various facilities and services as outlined in the funding proposal. USFH added that the Administration would closely monitor changes in service demand of the local community and would make adjustment to the services as necessary. She expressed confidence that there was adequate time for the Administration to plan for the manpower required by the Tin Shui Wai Hospital.

15. Dr KWOK Ka-ki reminded the Administration to start planning and training professional personnel to tie-in with the commissioning of the Tin Shui Wai Hospital. In response, Hospital Chief Executive, Pok Oi Hospital (HCE, POH), advised that the Hospital Authority had started recruiting and training of

health care personnel for the New Territories West Cluster (NTWC). Experienced staff from existing hospitals would be transferred to the proposed Tin Shui Wai Hospital to ensure that the service could start at the earliest opportunity.

16. Mr Michael TIEN opined that the long waiting time for specialist services in NTWC hospitals was due to staff shortage. He expressed concern that the problem would be further aggravated when existing health care staff in NTWC hospitals were to be transferred to the proposed Tin Shui Wai Hospital. Mr Michael TIEN sought the Administration's assurance that it would start building up a pool of health care personnel for Tin Shui Wai Hospital as early as possible so as to avoid stretching the existing staffing level of other hospitals in NTWC. Mr TIEN also asked for assurance from the Administration to ensure a fair distribution of health care professionals among hospitals of different clusters in the long term so that service waiting time would be comparable.

17. USFH and HCE, POH assured members that the Hospital Authority was already building up a pool of health care personnel to improve medical services in the NTWC hospitals. USFH added that the Administration had also requested the Hospital Authority to consider measures to attract more health care staff to work in NTWC hospitals.

18. Mr LEUNG Kwok-hung asked about the staffing ratio adopted for the proposed Tin Shui Wai Hospital, and the measures which the Administration would implement to meet the staffing shortfall, such as engaging overseas healthcare professionals.

19. In response, HCE, POH said that about 70 doctors would be required for the proposed Tin Shui Wai Hospital and that local tertiary institutions had increased the number of training places for medical professional. USFH said that the Hospital Authority would implement a series of measures to alleviate the problem of staff shortage. These included engaging retired health care personnel for part-time employment and arranging staff to work overtime.

20. USFH said that if the planned staff establishment of Tin Shui Wai Hospital could not all be filled by the time it was commissioned, the Hospital Authority might consider deferring certain service units for which the demand was relatively low. Mr LEUNG did not find the Administration's response acceptable. He said that no matter how small the demand for such services might be, treatment for patients could not be delayed. He criticized the mode of medical service delivery through hospital clusters, as it would thin out medical resources inevitably. USFH responded that the Hospital Authority

would take into account members' views in its future review of the hospital cluster system.

21. Ms Emily LAU commented that the Administration should improve the access to Tin Shui Wai Hospital premises by people with special needs, especially wheelchair-bound patients and to improve the passenger shelters at the bus terminus outside the Hospital.

22. Mr Albert CHAN opined that the present site for Tin Shui Wai Hospital was too small and that the adjacent vehicle depot of the Food and Environmental Hygiene Department (FEHD) should be used for hospital development instead. USFH said that an adjacent site currently used as temporary car park had been reserved for possible hospital expansion purpose. The Administration would look into the feasibility of using the FEHD vehicle depot site as suggested.

23. Mr Albert CHAN criticized the Administration for not giving sufficient attention to pedestrian safety in the design of ingress and egress points, car park as well as pedestrian crossing facilities in the Tin Shui Wai Hospital project. Director of Architectural Services explained that due to site constraints, it was difficult to segregate vehicles and pedestrians completely. Notwithstanding, the Administration would provide crossing facilities, traffic lights and signage at suitable locations to enhance pedestrian safety.

24. Mr CHAN Hang-pan asked how service provision was to be divided amongst Tuen Mun, Pok Oi and the proposed Tin Shui Wai Hospitals in NTWC. He asked if the resources of Pok Oi Hospital would be drained as a result of the commissioning of Tin Shui Wai Hospital. Mr CHAN asked to what extent the waiting time for specialist services would be reduced when the Tin Shui Wai Hospital was added to the NTWC service.

25. HCE, POH said that hospital services would be provided on a cluster basis and patients requiring the aid of more sophisticated equipment and facilities would be transferred to Tuen Mun Hospital for follow-up. Each of the three hospitals in NTWC had their own accident and emergency department to serve their respective service catchment. HCE, POH added that the proposed Tin Shui Wai Hospital would provide specialist clinics and could serve patients with chronic illness, but the detailed range of service would need to be worked out taking into account the needs of the local community nearer the time of completion of the Hospital.

26. There being no further question, the Chairman put the item to vote. The Committee approved the funding proposal.

Item No. 3 – FCR(2012-13)69

HEAD 106 – MISCELLANEOUS SERVICES

New Non-Recurrent Subhead "Contribution to the Tenth Replenishment of the Asian Development Fund"

27. The Chairman advised that the item sought the Committee's approval of the creation of a new non-recurrent subhead with a commitment of \$260.18 million for making a contribution to the tenth replenishment of the Asian Development Fund (ADF).

28. Ms Starry LEE, Chairman of the Panel of Financial Affairs, reported that the Panel discussed the funding proposal on 7 January 2013 and that some Panel members sought clarification about the basis of calculating Hong Kong's contribution, the comparison of the amount of the contribution with those of other donor members of the Asian Development Bank (ADB) as well as the mechanism for ensuring the effective use of ADF. Ms LEE said that the Administration had responded to Panel members' queries at the meeting and that Panel members supported the proposal.

29. There being no question from members, the Chairman put the item to vote. The Committee approved the funding proposal.

Item No. 4 – FCR(2012-13)67

CAPITAL WORKS RESERVE FUND

HEAD 710 – COMPUTERISATION

Immigration Department

New Subhead "New Immigration Control System of the Immigration Department"

30. The Chairman advised that the item sought the Committee's approval of a new commitment of \$912,215,000 for the implementation of a new Immigration Control System (ICONS) for the Immigration Department (ImmD).

31. Mr IP Kwok-him, Chairman of the Panel on Security, reported that the Panel discussed the funding proposal on 4 December 2012 and that Panel members supported the funding proposal.

32. Mr IP said that when deliberating the proposal for the new ICONS, Panel members expressed concern about the impact of the system on the work of frontline staff, its capacity to cope with future increases in visitors as well as the security of the new system.

33. Mr IP Kwok-him added that the Administration had provided further information in response to Panel members' requests.

34. Ms Emily LAU asked whether the proposed ICONS could be adapted to assist immigration staff in tackling the congestion travellers now encountered at boundary control points arising from increased parallel trader activities. US for S said that while ICONS could improve the overall efficiency of ImmD staff in tracking background information of travellers at the boundary control counters, it would be up to the immigration officers to determine individually whether or not a traveller should be admitted on the basis of the information. He added that ICONS was an open system with flexibility for addition of extra functionalities as necessary to further improve immigration control efficiency.

35. Assistant Director of Immigration (Control) said that as parallel traders had contributed to the congestion at boundary control points and indeed increased the work pressure of frontline immigration staff. The Administration had stepped up law enforcement efforts against parallel traders with a view to easing the flow of visitors across the boundary.

36. Mr CHAN Chi-chuen opined that the proposed ICONS seemed to facilitate mostly Mainland visitors. He asked whether such convenience would encourage more visitors from the Mainland and whether Hong Kong could receive the ever increasing number of Mainland visitors.

37. US for S advised that the ratio of Hong Kong residents to visitors passing through control points was about 6:4. The proposed ICONS would mostly benefit Hong Kong people. He said that the Administration was currently evaluating Hong Kong's capacity in receiving visitors

38. In response to Mr CHAN Chi-chuen's queries, US for S said that about 20% of Mainland visitors used e-Channels for entering and leaving Hong Kong; Assistant Director of Immigration (Control) said that in December 2012, about 4 000 Mainland visitors entered and left Hong Kong twice or more each day. Mr CHAN queried whether additional e-Channels would lead to more parallel trading activities. US for S said that the control of parallel traders' activities was an operational issue. In fact, the proportion of parallel traders among all visitors using the boundary control points was small, and the proposed ICONS would benefit most travelers.

39. Mr Charles MOK noted that the proposed ICONS would store a lot of biometric information. He asked what precautions would be built into the system to ensure protection of personal data privacy. US for S said that

ICONS would comply with existing security requirements as well as international security standards. Information would be encrypted and stored centrally. Secured infrastructure for private cloud computing would be used to ensure a high degree of security protection. Various authentication protocols would be implemented to ensure secured access to different parts of the system.

40. Mr Charles MOK said that many previous security breach incidents happened in the user end of a system, such as loss of devices that contained personal data. He suggested that the Administration should provide resources for staff training to reduce human errors. US for S said that ImmD was aware of the risks and the Deputy Director of Immigration had convened a task force to develop measures and guidelines on operation and training matters.

41. Mr CHAN Chi-chuen expressed concern about the stability of the e-Channel system as there had been an instance where a passenger could pass an e-Channel using false fingerprint due to hardware fault. As the Administration proposed to introduce more than 100 new e-Channels, Mr CHAN asked if ImmD had sufficient manpower to backup control operations when some of the e-Channels broke down. US for S said that ICONS had enhanced self-diagnosis and anti-spoofing capabilities, and the system contractor was required to conduct an overall check of ICONS every six months in addition to ImmD's routine checks. The contractor was required to replace defective components once discovered to ensure continuous operation of the system and to minimize system down time for repair and maintenance.

42. There being no further question, the Chairman put the item to vote. The Committee approved the funding proposal.

Item No. 5 – FCR(2012-13)68

LOTTERIES FUND

HEAD 341 – NON-RECURRENT GRANTS

43. The Chairman advised that the item sought the Committee's approval of allocation from the Lotteries Fund (LF) of

- (a) \$23,199,000 for fitting-out works and \$4,302,000 for acquisition of furniture and equipment for a new Integrated Rehabilitation Services Centre in Shek Kip Mei Estate, Sham Shui Po; and

- (b) \$13,993,000 for fitting-out works and \$3,187,000 for acquisition of furniture and equipment for a new Day Activity Centre cum Hostel for Severely Mentally Handicapped Persons in Tin Ching Estate, Tin Shui Wai, Yuen Long.

44. Ms CHAN Yuen-han, Chairman of the Panel on Welfare Services, reported that the Panel discussed the funding proposal on 10 December 2012. Panel members supported the proposal. Ms CHAN said that Panel members urged the Administration to formulate concrete plans on increasing the supply of residential care places, shortening the waiting time, and enhancing community support services for persons with disabilities. Panel members considered that the Administration should consider providing residential care homes and hostels for mentally handicapped persons in government premises such as public housing blocks or government office buildings and making the provision of such facilities as a land sale condition.

45. Mr YIU Si-wing asked whether the renovation of social welfare service facilities would require regular funding from LF in future. In response to enquiry from Mr YIU, Deputy Director of Social Welfare (Services) (DDSW(Services)) said that newly fitted-out social welfare facilities would last for some time and LF grants would normally be allocated under the established mechanism if renovation works were required after five to ten years. She added that while LF allocations would normally be provided for regular renovation of welfare premises which had been renovated for five years, LF grants would also be considered for necessary additional works arising from special circumstances within the five-year period.

46. Mr CHEUNG Kwok-che said that the Integrated Rehabilitation Services Centre in Shek Kip Mei Estate, and the Day Activity Centre cum Hostel for Severely Mentally Handicapped Persons in Tin Ching Estate had already been completed for quite some time. He queried the reasons that the Administration had taken such a long time to seek funding from LF to carry out fitting-out works. Mr CHEUNG was disappointed that the services could not be provided upon completion of the facilities and the designated services in the two centres could only be operated in the end of the year.

47. DDSW(Services) clarified that the Integrated Rehabilitation Services Centre in Shek Kip Mei Estate and the Day Activity Centre cum Hostel in Tin Ching Estate were completed in May 2012 and April 2011 respectively. She said that the facility in Tin Ching Estate was originally not intended for serving severely mentally handicapped persons. The Department had since then reprioritized the use of the premises for services with greater demand and decided to use the premises for the current purpose. DDSW(Services) added

that various types of preparatory work, such as consultation with the Lotteries Fund Advisory Committee on the funding proposal and pre-tendering preparation, were being carried out in parallel

48. There being no further question, the Chairman put the item to vote. The Committee approved the funding proposal.

Item No. 6 – FCR(2012-13)72
CAPITAL WORKS RESERVE FUND
HEAD 710 – COMPUTERISATION

49. The Chairman advised that the item sought the Committee's approval of a new commitment of \$52,542,000 for the relocation and re-provisioning of information technology (IT) systems and facilities of the Trade and Industry Department to the Trade and Industry Tower.

50. Mr Vincent FANG, Chairman of the Panel on Commerce and Industry, reported that the Panel discussed the proposal on 20 November 2012. Panel members supported the proposal and called on the Administration to make the necessary arrangements to ensure data security and to minimize service interruption to the trading community and the public during system testing and relocation.

51. Mr Charles MOK commented that the installation of separate IT systems efforts at the department level might defeat the Administration's policy to promote cloud computing and incur higher costs. He queried the reasons of the Trade and Industry Department (TID) to locate the IT systems separately from the central government facilities.

52. Deputy Director-General of Trade and Industry (Commercial Relations, Controls and Support) (DDGTI) said having considered the need of some of TID's IT systems to process sensitive information and advice of the Government Chief Information Officer, the Administration concluded that cloud computing technology might not be the best alternative for the present project. However, he said that the Department would keep track of the latest development in IT and would closely liaise with the Office of the Government Chief Information Officer in designing the new systems, and would consider adopting cloud computing technology where appropriate.

53. Mr LEUNG Kwok-hung noted that the proposal would bring about annual savings of \$5,396,000, which could offset the capital cost over nine years. He queried whether the IT systems to be installed under the funding

proposal could last nine years. DDGTI advised that about half of the Department's existing IT systems were approaching the end of their serviceable life. The Administration now sought the approval of the Finance Committee, inter alia, to replace or upgrade the systems. The savings would include the maintenance costs of hardware and software to be decommissioned and the efficiency gained through using newer technologies.

54. In response to further enquiry from Mr LEUNG Kwok-hung, DDGTI said that the new IT systems would be sourced through an open tendering exercise in accordance with the established procurement procedure.

55. There being no further question, the Chairman put the item to vote. The Committee approved the funding proposal.

Item No. 7 – FCR(2012-13)73

CAPITAL WORKS RESERVE FUND

HEAD 710 – COMPUTERISATION

Judiciary

New Subhead "Provision of Information Technology Infrastructure and Digital Audio Recording and Transcription Services System in the West Kowloon Law Courts Building"

56. The Chairman advised that the item sought the Committee's approval of a new commitment of \$51,796,000 for the provision of an IT infrastructure and the Digital Audio Recording and Transcription Services (DARTS) system in the West Kowloon Law Courts Building (WKLCCB).

57. Dr Priscilla LEUNG, Chairman of the Panel on Administration of Justice and Legal Services (AJLS Panel) reported that the Panel considered the proposal on 14 December 2012. Panel members requested the Judiciary to provide supplementary information on the use of simultaneous transcription service in court proceedings, and to respond to Panel members' request for making the provision of this service as a standing and regular practice in all court proceedings. The requested information had been distributed to members for reference.

58. Dr Priscilla LEUNG further said that the Panel was informed that the network equipment and services of the Judiciary were currently hosted in two server centres in the High Court Building and the Labour Tribunal. Panel members requested the Administration to provide further explanation about its decision to provide a new server centre in the new West Kowloon Court Building at the AJLS Panel meeting to be held in February 2013 when the

Panel would discuss the Judiciary's long term Information Technology Strategy Plan (ITSP).

59. Mr Dennis KWOK asked how the proposed information technology (IT) infrastructure and the DARTS system to be provided in the new WKLCB were related to the Judiciary's ITSP, or whether there would be overlapping. Deputy Judiciary Administrator (Operations) (DJA(O)) said that the Judiciary Administrator would report the progress of the development of ITSP to the AJLS Panel. As WKLCB would be ready for occupation in 2015-16, basic IT facilities to support court operations should be installed by then. DJA(O) added that WKLCB had reserved capacity for additional servers or workstations.

60. Mr WU Chi-wai asked if the proposed information technology infrastructure and DARTS in WKLCB would enable litigants to obtain transcripts of court proceedings earlier and if the cost of transcription services could be reduced as a result of improved efficiency. DJA(O) said that depending on the duration of a trial or hearing, transcripts could be available within one day, seven or 14 days. As regards possible cost reduction, DJA(O) explained that while the quality of court recordings would improve with the implementation of DARTS, preparation of transcripts still depended heavily on the work of transcribers which was labour-intensive. There was at present no plan to revise the transcription fees.

61. Mr WU Chi-wai asked if off-the-shelf "voice-to-text" software could be used to assist in the preparation of transcripts in order to save time and cost. DJA(O) said the Judiciary had been keeping track of the development of speech recognition technologies. Having considered the products available in the market, it concluded that manual transcription would remain the preferred option. Assistant Judiciary Administrator (Quality) (AJA(Q)) supplemented that in court proceedings, English and Chinese languages might be used. The available speech recognition products were not adapted to suit the situations and practice in Hong Kong's courts.

62. Mr LEUNG Kwok-hung queried how the Judiciary ensured the accuracy of the transcripts of court proceedings, and what staff were responsible for vetting the documents before they were released. DJA(O) responded that transcription services were contracted out, but staff in the Judiciary would check the accuracy of draft transcripts and would consult the respective judges as necessary. The transcribers would record what was actually said in the court without editing or polishing the speeches. Mr LEUNG remarked that the Judiciary should consider increasing the rates for contract transcription services to provide better incentives in improving the

quality of transcription service.

63. Mr LEUNG Kwok-hung commented that litigants and the public were often not able to hear clearly what was being said inside courtrooms. He asked if the Judiciary would improve the acoustic installations. DJA(O) said that the Judiciary was aware of the problem and had engaged an acoustics consultant to provide relevant advice on the design of WKLCB. The Judiciary had planned to improve the acoustics of other courtrooms progressively.

64. Mr Albert CHAN said that he supported the funding proposal in principle. He declared that he had requested for a copy of the audio recording of a trial he attended, but the judge ordered that he could only apply for transcripts of the proceedings after the trial. Mr CHAN commented that every litigant should have the right to obtain the audio recording and considered it unreasonable that the judge had the absolute discretion to rule whether or not audio recording of court proceedings should be provided. He asked whether the Judiciary would review the relevant administrative arrangements.

65. The Chairman queried the relevance of Mr CHAN's question to the funding proposal. Mr CHAN explained that the Judiciary should explain to the public why, after the funding approval for DARTS, litigants could not obtain the audio recording of court proceedings as of right..

66. The Chairman extended the meeting by 15 minutes.

67. Mr LEUNG Kwok-hung said that if a trial was open to the public, and as defendants were already allowed to take written notes of court proceedings, it was unreasonable that they were not allowed to audio-record the trial in the courtroom. He said that he would object to the funding proposal unless the Judiciary would review the policy to permit litigants to audio-record court proceedings, or to make available the audio recording produced by the court to litigants.

68. DJA(O) said that it was up to the court to decide whether or not the audio recording of a proceeding should be made available to litigants. There was strict judiciary policy governing audio recording in a courtroom. Any change to the policy must be examined cautiously. DJA(O) added that the Judiciary would normally provide the audio recording at the earliest opportunity once an application for it was approved.

69. Mr Albert CHAN criticized the current system of obtaining transcription of court proceedings was unfair and was biased in favour of the

prosecution. He asked whether simultaneous transcripts would be available to litigants for free after installation of DARTS.

70. DJA(O) said that as a matter of general practice, simultaneous transcription service was not available for every court proceeding and, if arranged, would not be provided free of charge. He explained that an application would have to be submitted to the judge when the prosecution and the defendant had agreed on the need for transcripts of court proceedings and the share of relevant cost. DJA(O) further explained that the approval of the judge was necessary for production of transcripts because it would have an implication on the Court's resources.

71. Mr CHAN Chi-chuen said that the proposal to improve the quality of audio recording in a courtroom should be considered together with the transcription service. He asked whether the Judiciary had any service improvement plans. AJA(Q) said that the proposed DARTS system to be installed in WKLCB would help improve the quality and accuracy of transcription service. Mr CHAN Chi-chuen commented that the Judiciary should, instead, improve the public announcement systems in courtrooms, as litigants and the public had difficulties in hearing what was being said inside a courtroom.

72. There being no further question, the Chairman put the item to vote and said that the time remained for the meeting did not allow a division to be claimed. He put the question to the Committee for a decision on the funding application and asked members to indicate their position by a show of hands.

73. The Chairman instructed that it be put on record that Mr LEUNG Kwok-hung, Mr Albert CHAN and Mr CHAN Chi-chuen voted against the item.

74. The Chairman declared that the majority of the members present and voting were in favour of the funding proposal. There being no challenge to the Chairman's statement, the Committee approved the item.

75. As there was insufficient time for dealing with the remaining one item on the agenda, i.e. FCR(2012-13)74 "Replacement of the Tunnel Lighting System and Monitoring and Management Supervisory Systems in the Shing Mun Tunnels", the Chairman asked if the Administration would request for a special meeting to be convened for the remaining item. Deputy Secretary for Financial Services and the Treasury (Treasury)1 said that the item could be carried forward to the meeting scheduled for 15 March 2013.

76. The meeting was adjourned at 5:59 pm.

Legislative Council Secretariat
5 August 2013