

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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(By Fax and E-mail)

Miss Betty Ma
Clerk to Panel on Security
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Miss Ma,

Handling of fire hazard complaints by Fire Services Department

Thank you for your letter dated 3 July 2013 to the Secretary for Security, stating the concern of Hon LEUNG Kwok-hung and Hon WONG Yuk-man on the handling of anonymous complaints by the Fire Services Department (FSD). The Administration's reply is as follows.

With the mission of "we serve to save", FSD protects the lives and properties of the public from fire or other calamities. The Department gives advice to the public, building owners and occupiers of premises, etc, on fire protection measures and potential fire hazards and educates the public to raise their fire safety awareness. Fire service staff also inspects the means of escapes and fire service installations and equipment (FSIs), etc in buildings and premises. With the efforts of FSD and the cooperation of the public, the number of fire cases in Hong

Kong in the past 5 years has decreased by about 25% from around 8 200 in 2008 to some 6 100 in 2012. The number of fire cases of Alarm No.3 or above has also decreased by about 28%, from 18 in 2008 to 13 in 2012.

Follow-up fire hazard complaint

One of the major duties of FSD is to abate fire hazards, which includes taking follow-up actions upon receipt of fire hazard complaints in order to minimise the risk of fire. Those complaints generally include obstructions to means of escape of buildings, defective building FSIs, locked buildings exits and excessive storage of dangerous goods, etc. Those complaints are usually made through letters, telephone or email. Some of those provide the name of the complainant and his/her means of contact, but some do not.

When FSD receives a fire hazard complaint which has specified the issue and an address for follow up, investigation will be conducted to ensure the fire safety of the concerned building or premise regardless of whether the complaint is anonymous or not. If the information provided by the complainant is insufficient or unclear (e.g. detailed address is not given or the subject of the fire hazard complaint is unclear), FSD will first approach the complainant through the means of contact provided for more details before arranging an inspection. Should FSD fail to contact the complainant or obtain specific information from him/her, the Department would not pursue the case and would cease the investigation.

According to FSD's performance pledge, an investigation has

to be conducted within 24 hours upon receipt of complaints of imminent fire hazards (e.g. obstruction to means of escape, etc). For fire hazard complaints not involving imminent danger, the Department will conduct the investigation within 10 working days upon receipt of such a complaint. Generally speaking, a complaint concerning the lack of maintenance or defective FSIs is classified as one not involving imminent danger, and the Department will conduct an investigation within 10 working days after receiving such a complaint.

When handling complaints against fire hazards, the priority consideration of FSD is the protection of the lives and properties of the public. The Department will send fire service staff to conduct an on-site inspection in accordance with the established practice. On judicial consideration, the fire service staff will not inform the complainers before hand. In the course of the investigation, if the responsible person of the premise is unable to make arrangement for the inspection immediately (e.g. the premise is locked and a key has to be obtained from other sources, etc.), the Department would, in light of the circumstances of individual cases (e.g. the degree of urgency and seriousness of the related fire hazards), exercise its discretion (e.g. to conduct an inspection again after the key of the premises has been obtained).

Generally speaking, FSD has difficulties in ascertaining the exact motives of a complainant, i.e. whether the complaint was made out of his/her concern about fire safety, misunderstanding or malicious intent. With the lives and properties of the public as the priority consideration, the Department will normally follow up all fire hazard complaints according to the above procedures. However, if FSD has reasonable doubt that the complaint is of a malicious intent (e.g. the same address

has been involved in a serious of false complaints) and the investigation of which might waste the time of public officers, FSD would refer the case to the Police for follow-up action.

The fire hazard complaint relating to the automatic sprinkler systems in the Oriental Press Centre

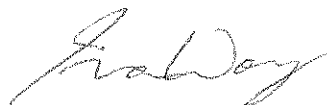
In handling the fire hazard complaint relating to the Oriental Press Centre, FSD followed the procedures as mentioned above. The Department received the email complaint on 21 June 2013, complaining that the automatic sprinkler systems in the server room of the building at No. 23 Dai Cheong Street, Tai Po Industrial Estate (i.e. Oriental Press Centre) failed to operate and caused fire safety concern. As there was detailed information (i.e. location and the problematic installation) in the complaint email and fire hazard was involved, FSD carried out an investigation in accordance with sections 8(1)(a) and (c) of the Fire Services Ordinance (Cap. 95).

When fire service staff arrived at the concerned Centre for inspection on 25 June 2013, they asked the representative of the Centre if they could inspect the automatic sprinkler systems inside the server room. The Centre's representative advised that they could not make an immediate arrangement but would contact FSD later. On the next day (i.e. 26 June), fire service staff received a call from the Centre's representative advising that they were ready for an inspection and had arranged their fire service installation contractors on-site to facilitate the inspection process. The Department conducted the inspection accordingly. During the inspection, the concerned fire service staff explained the reasons of the inspection to the Centre's representatives in

order to avoid misunderstanding. The staff only inspected the concerned automatic sprinkler systems during the inspection to ensure the fire safety of that premise. They did not conduct any search or interfere with other articles there.

We hope Members would understand that FSD has not deviated from their established practice in handling this fire hazard complaint case and the purpose is to ensure the safety of the employees and visitors at the Oriental Press Centre and their properties. In future, if FSD has reasonable doubt that a false complaint of malicious intent has been made against that Centre, the Department would refer the case to the Police for follow up.

Yours sincerely,



(Ivan Wong)
for Secretary for Security

c.c. Director of Fire Services Department (Attn : Mr. LO Siu-hang)
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