

**立法會**  
**Legislative Council**

LC Paper No. CB(3) 714/13-14

**Paper for the House Committee meeting  
of 13 June 2014**

**Questions scheduled for the  
Legislative Council meeting of 18 June 2014**

Questions by:

- |      |                        |                 |
|------|------------------------|-----------------|
| (1)  | Dr Hon LAM Tai-fai     | (Oral reply*)   |
| (2)  | Hon Paul TSE           | (Oral reply*)   |
| (3)  | Dr Hon KWOK Ka-ki      | (Oral reply)    |
| (4)  | Hon CHEUNG Kwok-che    | (Oral reply)    |
| (5)  | Hon WU Chi-wai         | (Oral reply)    |
| (6)  | Hon Frederick FUNG     | (Oral reply)    |
| (7)  | Hon CHUNG Kwok-pan     | (Written reply) |
| (8)  | Dr Hon Priscilla LEUNG | (Written reply) |
| (9)  | Hon Michael TIEN       | (Written reply) |
| (10) | Hon Jeffrey LAM        | (Written reply) |
| (11) | Hon Alice MAK          | (Written reply) |
| (12) | Hon LEUNG Che-cheung   | (Written reply) |
| (13) | Hon Christopher CHUNG  | (Written reply) |
| (14) | Hon TAM Yiu-chung      | (Written reply) |
| (15) | Hon Dennis KWOK        | (Written reply) |
| (16) | Dr Hon CHIANG Lai-wan  | (Written reply) |
| (17) | Dr Hon Elizabeth QUAT  | (Written reply) |
| (18) | Hon Kenneth LEUNG      | (Written reply) |
| (19) | Dr Hon Kenneth CHAN    | (Written reply) |
| (20) | Hon CHAN Hak-kan       | (Written reply) |
| (21) | Hon LEUNG Kwok-hung    | (Written reply) |
| (22) | Hon Charles Peter MOK  | (Written reply) |

\* Replacing his/her previous question with a new question

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

## Occupy Central and constitutional development proposals

# (1) Dr Hon LAM Tai-fai (Oral reply)

It has been reported that earlier on, some individuals and Members of this Council belonging to the pan-democratic camp met with senior officials of the United States of America (“the USA”) and the United Kingdom on issues relating to constitutional development, but the Members concerned have declined the invitation of the Director of the Liaison Office of the Central People’s Government in the Hong Kong Special Administrative Region (“the Liaison Office”) to discuss the related matters with him. The individuals concerned have indicated that they will take part in an action to organize over 10 000 people to block the roads in Central (“Occupy Central”) unless the constitutional development proposals put forward by the Government meet their demands. Separately, in reply to my question on whether letters of no objection would be issued for public assemblies or processions related to Occupy Central during his attendance at the Question and Answer Session of this Council earlier on, the Chief Executive (“CE”) said that the Government could not sit back and do nothing, and it would not underestimate the eventuality of such incident, and that he himself, the Security Bureau and the Hong Kong Police Force attached great importance to this issue and they were making due preparation on various fronts, including operational deployment. He also indicated that the Government would not issue letters of no objection in respect of assemblies, demonstrations and processions to any person who seeks to paralyze the financial centre. In any event, the Government would act in accordance with the law and the Police would resolutely enforce the laws should there be any unlawful acts. Meanwhile, he “was given to understand that quite a number of financial institutions, industrial and trade organisations, as well as professional practices located in Central were making preparations for instituting civil proceedings. They would demand the persons concerned to stop occupying and paralyzing Central by way of civil proceedings, and would seek court orders for the persons concerned to compensate for the economic losses so incurred once the situation of Central being paralyzed occurred.” In this connection, will the Government inform this Council:

- (1) whether it has identified any foreign forces meddling with Hong Kong affairs, including making indiscreet remarks on the direction of constitutional development, as well as advocating and supporting Occupy Central; if it has, of the details; if not, the reasons for that;
- (2) whether it has looked into the reasons why individual pan-democrats (including former and incumbent Members of this Council) have had high-profile meetings with the Vice President of USA, Consul General of USA in Hong Kong and the British consul in Hong Kong, etc. to discuss constitutional development while declining the invitation of the Director of the Liaison Office for discussion on such issues; if it has, of the details; if not, the reasons for that; and

- (3) as CE indicated that the Government could not sit back and do nothing about Occupy Central and was making due preparation on various fronts, whether the Government will assist the business and industry sector or other individuals who suffer losses as a result of Occupy Central in claiming compensation from its organizers through legal means; if it will, of the details; if not, the reasons for that?

## Handling of complaints by the Medical Council of Hong Kong

# (2) Hon Paul TSE (Oral reply)

The Medical Council of Hong Kong (“MCHK”) is vested with statutory powers to conduct inquiries into complaints about the professional conduct of registered medical practitioners, and may take disciplinary actions against those practitioners found to be guilty of professional misconduct. It has been reported that MCHK receives about 500 complaints each year, but conducts disciplinary hearings on only 22 of such complaints on average. Some members of the public have criticized that the fact that MCHK is mainly composed of medical professionals will easily give rise to the situation of “doctors harbouring each other”, such as imposing lenient penalties on those doctors guilty of professional misconduct. Moreover, MCHK has taken a very long time in handling some of the cases, causing grievances among the victims of medical incidents and their families. For instance, concerning the death of a newborn son of a couple in 2005, it is not until recently (i.e. nine years after the incident) that MCHK has adjudicated that the doctor concerned is guilty of professional misconduct. This case has aroused wide public concern about the composition, operations and complaint handling procedure of MCHK. In this connection, will the Government inform this Council:

- (1) whether it has assessed if the current composition, criteria for appointment of its members and modus operandi of MCHK are conducive to its handling of complaints in an objective, fair, credible and efficient manner; if it has assessed, of the methodology and outcome of the assessment, as well as the relevant follow-up actions taken; if not, the reasons for that, and whether it can immediately conduct such an assessment; as some members of the public consider that the penalties meted out by MCHK to doctors guilty of professional misconduct are often too lenient, thus lacking sufficient deterrent effect, of the follow-up actions the authorities will take;
- (2) as it has been reported that the couple in the aforesaid case have spent more than \$1 million on legal fees and engaging medical specialists to prepare independent assessment reports, etc., of the policies and measures put in place by the authorities to assist those victims of medical incidents and their families who have financial difficulties and lack medical expertise in seeking justice; and
- (3) whether it will examine the establishment of a new independent redress mechanism (such as office of the ombudsman for medical services) dedicated to handling complaints about medical incidents?