

# 立法會 *Legislative Council*

LC Paper No. CB(3) 224/14-15

## **Paper for the House Committee meeting of 5 December 2014**

### **Questions scheduled for the Legislative Council meeting of 10 December 2014**

Questions by:

- |      |  |                             |
|------|--|-----------------------------|
| (1)  | Hon Charles Peter MOK  | (Oral reply)                |
| (2)  | Dr Hon Helena WONG<br><i>(Replacing her previous question)</i> | (Oral reply) (New question) |
| (3)  | Hon IP Kin-yuen<br><i>(Replacing his previous question)</i>    | (Oral reply) (New question) |
| (4)  | Hon Michael TIEN   | (Oral reply)                |
| (5)  | Hon Kenneth LEUNG  | (Oral reply)                |
| (6)  | Dr Hon Kenneth CHAN  | (Oral reply)                |
| (7)  | Hon CHAN Chi-chuen   | (Written reply)             |
| (8)  | Dr Hon CHIANG Lai-wan  | (Written reply)             |
| (9)  | Hon Frankie YICK   | (Written reply)             |
| (10) | Hon Tony TSE   | (Written reply)             |
| (11) | Dr Hon LAU Wong-fat  | (Written reply)             |
| (12) | Hon WONG Yuk-man   | (Written reply)             |
| (13) | Hon Frederick FUNG   | (Written reply)             |
| (14) | Hon CHAN Kin-por   | (Written reply)             |
| (15) | Hon TAM Yiu-chung  | (Written reply)             |
| (16) | Hon SIN Chung-kai  | (Written reply)             |
| (17) | Hon CHAN Han-pan   | (Written reply)             |
| (18) | Hon Mrs Regina IP  | (Written reply)             |
| (19) | Dr Hon KWOK Ka-ki  | (Written reply)             |
| (20) | Hon LEUNG Che-cheung   | (Written reply)             |
| (21) | Hon James TO   | (Written reply)             |
| (22) | Hon TANG Ka-piu  | (Written reply)             |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

Use of powers by police officers during operations  
to assist bailiffs at the occupied areas in Mong Kok

(2) Dr Hon Helena WONG (Oral reply)

It has been reported that late last month, when assisting bailiffs in executing the injunction orders by the court at the occupied areas in Mong Kok and in subsequent operations to disperse the crowd, some police officers abused their powers, which included using excessive force on the occupiers and passers-by, arresting members of the public and reporters indiscriminately, and suppressing freedom of the press. In this connection, will the Government inform this Council:

- (1) as it has been reported that during the operations, some police officers assaulted members of the public who were standing on the footpaths which were not covered by the injunction orders, hit their vital body parts (such as the head and the neck) with batons, pushed pedestrians onto the ground, and hurled abuses at the ethnic minority people, whether it has assessed if such behaviours of the police officers were justifiable, violated the Police General Orders (“PGO”), and reflected that the police officers had lost control of their temper; whether the authorities will make a public apology for this and how they will follow up the matter, as well as how they will prevent the occurrence of similar incidents;
- (2) of the Police’s justifications for arresting a crew member of a television station and a newspaper reporter respectively on the 25th and 27th of last month; whether the authorities have assessed if such arrests were targeted at individual media organizations and represented hostility towards reporters; as some online media reporters said that they had been obstructed by the Police in making coverage, of the criteria adopted by the Police for dealing with such reporters and the measures in place to ensure that reporters may cover news freely during police operations; given that at least 25 reporters have claimed to have been treated violently by police officers, how the authorities will follow up such cases; and
- (3) as it has been reported that during the operations, a large number of police officers concealed their police identification numbers by the reflective vests which they were wearing or removed the numbers from their uniforms so that members of the public would not be able to identify them, whether the authorities have investigated if the police officers had violated the PGO by such acts and their justifications for so doing; if the investigation results indicate that such acts violated the relevant requirements or were attempts to avoid being complained, whether the authorities will penalize the police officers concerned, and how the authorities will prevent the occurrence of similar incidents?

## Pilot Project on Enhancement of Complaint Management in Schools

### (3) Hon IP Kin-yuen (Oral reply)

Under the Pilot Project on Enhancement of Complaint Management in Schools (“Pilot Project”) implemented by the Education Bureau (“EDB”) since the past two school years, if EDB receives complaints lodged by parents or members of the public or referred to it by other organizations relating to the daily operations and internal matters of the schools that have joined the Pilot Project, it will refer such cases to the school concerned for handling after obtaining the complainant’s consent. The school concerned will conduct an investigation according to its school-based complaints handling procedures. EDB will not follow the established practice of replying to the complainant after scrutinizing the complaint investigation report submitted by the school concerned. If the complainant does not agree to referral of his case to the school for handling, EDB normally will not intervene by conducting an investigation. EDB may consider conducting direct investigation only if the complaint involves incidents of serious nature or maladministration. At present, more than 350 schools have joined the Pilot Project. Some members of the education sector have relayed to me that EDB has, using school-based management as a pretext, shirked its responsibility of overseeing school administration. Also, it will be difficult for a school to investigate impartially into a complaint that involves itself because of role conflicts. In this connection, will the Government inform this Council:

- (1) of the number of complaints against schools directly investigated by EDB in the past two school years, and among them, the number of those involving schools which had joined the Pilot Project, with a breakdown by the number of complaints in which the school was involved (i.e. 1 to 2 cases, 3 to 5 cases, and 6 cases and above); among the complaints directly investigated by EDB, of the number of those in which the complainants lodged appeals as they were dissatisfied with the investigation results, as well as the details of the appeal mechanism;
- (2) whether it has assessed if the arrangement whereby EDB normally will not intervene by conducting an investigation even though the complainant does not agree to the referral of his case to the school for handling, has deprived the complainant of the right to choose to lodge his complaint with EDB, and is therefore in breach of procedural justice; and
- (3) whether EDB will ensure that upon completion of the Pilot Project, complaints involving school staff or labour relations will continue to be directly investigated by EDB under the prevailing mechanism?