

Chapter 3 Information and evidence relevant to the particulars of the misbehaviour set out in the Schedule to the censure motion

3.1 This Chapter sets out the information gathered and the evidence obtained from hearings conducted by IC which are relevant to the particulars of Hon HUI Chi-fung's alleged misbehaviour as set out in the Schedule to the censure motion. IC has made reference to the CCTV footage, i-CABLE's footage, RTHK's interview, and witnesses' evidence given to IC at its hearings. To facilitate the understanding about the narration in this Chapter, a simplified map showing the key locations on the second floor of the LegCo Complex relevant to the alleged incident related to the censure motion is in **Appendix 15**.

The alleged incident

3.2 IC notes from the CCTV footage that at about 9:30 am on 24 April 2018, when the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill ("the Bills Committee") was holding its meeting in Conference Room 1, Hon HUI Chi-fung was present at that meeting.¹¹

Events at the four-lift lobby on the second floor of the Legislative Council Complex

3.3 IC notes from the CCTV footage that Hon HUI Chi-fung left Conference Room 1 at 9:39:49 am on 24 April 2018. He then entered the four-lift lobby on the second floor of the LegCo Complex ("the four-lift lobby") at 9:41:30 am. Ms LEUNG Ngok-sze¹² was then standing there with a mobile phone ("the Mobile Phone") and a piece of paper in her

¹¹ The time reference in this Report refers to the clock-time displayed in the CCTV footage, unless otherwise specified. IC watched the CCTV footage and decided that the male in question was, at all material times, Hon HUI Chi-fung.

¹² According to line 160 on page 7 to line 183 on page 8 of the verbatim transcript of Mr Daniel LIU attending a closed hearing of IC on 25 June 2019 (Appendix 10), on 24 April 2018, Mr Cassius LAU Fu-sang told Mr LIU that Hon HUI Chi-fung had grabbed the mobile phone of his colleague. When Mr LIU saw the colleague of Mr LAU concerned, she told him that her name was LEUNG Ngok-sze.

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

hand. Mr HUI pressed a lift button, then approached Ms LEUNG face-to-face and appeared to say something to her at 9:41:42 am. At that time, Ms LEUNG stepped back. Mr HUI stepped forward towards Ms LEUNG, grabbed the paper from her and read it. After reading the paper, it appeared that Mr HUI reached out his hand to try to grab the Mobile Phone from Ms LEUNG but he was not successful, as Ms LEUNG moved her hand holding the Mobile Phone to behind her back and tried to evade. Mr HUI kept on trying to grab the Mobile Phone and grabbed it at last. He then ran out of the four-lift lobby at 9:42:33 am and entered the corridor outside Conference Room 4 on the second floor of the LegCo Complex ("Corridor A")¹³. On his way, he dropped the piece of paper grabbed from Ms LEUNG on the floor of the four-lift lobby. Ms LEUNG chased after Mr HUI.

Events along the corridors outside Conference Room 1 and Conference Room 4 on the second floor of the Legislative Council Complex

3.4 IC notes from the CCTV footage that between 9:42:34 am and 9:42:42 am, Hon HUI Chi-fung ran along Corridor A towards the direction of Conference Room 1, crossed the corridor outside Conference Room 1 ("Corridor B")¹⁴, and rushed through an entrance ("Entrance A")¹⁵ opening to a space which could lead to Conference Room 1 or the toilet area (see the route in red colour in Appendix 15). Ms LEUNG Ngok-sze chased after Mr HUI all the way from the four-lift lobby but stopped in front of Entrance A. Ms LEUNG then took out another mobile phone and appeared to make a call. Mr Mark FU Chuen-fu was walking around along Corridor B at that time. Mr FU appeared to talk to a man in Corridor B at 9:47:43 am, and then they together approached Ms LEUNG. The three people appeared to talk to each other in Corridor B between 9:47:52 am and 9:48:31 am. Ms LEUNG later went to Corridor A at 9:48:46 am. Mr HUI later came out of the area behind Entrance A at 9:58:01 am and went to Corridor A.

¹³ Corridor A in Appendix 15.

¹⁴ Corridor B in Appendix 15.

¹⁵ Entrance A in Appendix 15.

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

Events along the corridor outside Conference Room 4 on the second floor
of the Legislative Council Complex

3.5 IC notes from the CCTV footage that at 9:57:56 am, Hon WU Chi-wai was talking to Mr Mark FU Chuen-fu in Corridor A. After Hon HUI Chi-fung came out of Entrance A and went to Corridor A (as stated in paragraph 3.4 above), he passed by Mr FU and Mr WU. Mr HUI and Mr FU seemed to have some communication, then Mr HUI seemed to hand something over to Mr FU at 9:58:15 am. Mr HUI then continued to walk along Corridor A towards the direction of the four-lift lobby (see the route in blue colour in Appendix 15).

Reporting of the alleged incident

3.6 According to the evidence given by Mr Mark FU Chuen-fu at IC's hearing on 6 November 2019, he was standing by along Corridor B when the Bills Committee meeting was in progress in the morning of 24 April 2018. At first, he saw Ms LEUNG Ngok-sze standing outside Entrance A, but he did not pay attention to her. After a male officer of the Transport and Housing Bureau ("THB") had told Mr FU that the Mobile Phone held by a female colleague was grabbed, Mr FU and that male officer then approached Ms LEUNG and asked her what had happened. According to Mr FU, Ms LEUNG was an officer of the Security Bureau and she did not know him at first. After the male officer had introduced Mr FU to Ms LEUNG, she then asked for help and sought instructions on what she should do. She told Mr FU that Hon HUI Chi-fung had grabbed the Mobile Phone and pointed at Entrance A, saying that Mr HUI had gone to the direction of Entrance A after grabbing the Mobile Phone.^{16, 17}

¹⁶ According to lines 353 to 358 on page 14 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12), Mr FU was able to identify the lady as seen in the CCTV footage to be the lady who stood outside Entrance A and reported to him that the Mobile Phone had been grabbed. After watching the CCTV footage, considering the evidence of witnesses and all the information in hand, IC decided that the female in question in the CCTV footage was, at all material times, Ms LEUNG Ngok-sze.

¹⁷ Lines 47 to 56 on page 2; and lines 649 to 654 on page 26 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

3.7 IC has viewed the CCTV footage covering Conference Room 1 and found that between 9:42:42 am, when Hon HUI Chi-fung had grabbed the Mobile Phone and entered Entrance A, and 9:58:01 am when Mr HUI came out of the area behind Entrance A, it did not capture Mr HUI returning to Conference Room 1. Mr Mark FU Chuen-fu also told IC that, after he learned from Ms LEUNG Ngok-sze that Mr HUI had gone to the direction of Entrance A (see paragraph 3.6 above), he had tried to look for Mr HUI, including viewing from the inside of the Photo Room¹⁸ to see whether Mr HUI was in Conference Room 1, but Mr HUI was not there. Mr FU then went to Room 112 (i.e. Public Officers' Office on the first floor of the LegCo Complex) to see if there were any government officers around. Mr FU saw Mr Cassius LAU Fu-sang there and told him about the incident. Mr FU then went out to continue looking for Mr HUI but in vain.¹⁹

3.8 According to Mr Mark FU Chuen-fu, when he continued searching for Hon HUI Chi-fung on the second floor of the LegCo Complex, he saw Hon WU Chi-wai in Corridor A. As Mr WU was the Chairman and Mr HUI a member of the Democratic Party, Mr FU told Mr WU that Mr HUI had grabbed the Mobile Phone from Ms LEUNG Ngok-sze. While Mr WU had not yet responded, Mr FU saw Mr HUI coming from the direction of Conference Room 1 carrying the Mobile Phone in his hand, and passed by Mr FU and Mr WU. Mr FU said that he had kept on watching Mr HUI and, when Mr FU was about to ask Mr HUI to stop, Mr HUI turned around and asked Mr FU whether he wanted to get back the Mobile Phone. Mr FU replied in the affirmative and Mr HUI handed the phone to Mr FU.²⁰

3.9 Mr Mark FU Chuen-fu told IC that, after Hon HUI Chi-fung had handed the Mobile Phone to him, Mr FU and Hon WU Chi-wai departed and Mr FU wanted to go back to Room 112. On his way, Mr FU saw Mr HUI again in the four-lift lobby as they were both waiting for the lift there. Mr FU said that they took the same lift and, while inside the lift, he asked Mr HUI, "何必呢？大家都係做嘢".²¹ Mr HUI then said

¹⁸ Photo Room in Appendix 15.

¹⁹ Line 57 on page 2 to line 62 on page 3 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

²⁰ Lines 70 to 81 on page 3 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

²¹ English translation: "What for? We both are doing our jobs."

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

"我預咗你地報警".²² Mr FU told IC that Mr HUI had not explained the meaning of those words.²³

3.10 Mr Mark FU Chuen-fu also told IC that he then went back to Room 112 and saw Ms LEUNG Ngok-sze again. He asked Ms LEUNG to report on the details about the alleged incident and confirmed with her that the phone returned by Hon HUI Chi-fung was the Mobile Phone.²⁴ According to Mr FU, Ms LEUNG told him that she was working in the four-lift lobby when Mr HUI entered. Mr HUI then approached her and asked what she was doing. Ms LEUNG replied that she was working. Mr HUI then grabbed the paper in her hand. Ms LEUNG also told Mr FU that, after reading the paper, Mr HUI tried to grab the Mobile Phone in her hand and she had strived to protect the phone, including hiding it at her back. Ms LEUNG said, "許智峯議員'夾硬'要搶"²⁵ and Mr HUI grabbed the phone. Ms LEUNG then chased after Mr HUI towards the direction of Conference Room 1 and waited outside Conference Room 1.²⁶

3.11 IC asked Mr Mark FU Chuen-fu whether Ms LEUNG Ngok-sze had explained the meaning of "夾硬".²⁷ Mr FU said that she had not described it in detail and, as she was rather agitated at that time, he considered it inappropriate to ask for more details from her.²⁸

²² English translation: "*I expect that you will call the police.*"

²³ Lines 82 to 90 on page 3; and line 330 on page 13 to line 348 on page 14 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

²⁴ Lines 88 to 92 on page 3; lines 219 to 221 on page 9; line 259 on page 10 to line 268 on page 11; and line 385 on page 15 to line 412 on page 16 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

²⁵ English translation: "*Hon HUI Chi-fung grabbed it with force and against her will.*"

²⁶ Line 230 on page 9 to line 241 on page 10; and lines 245 to 246 on page 10 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

²⁷ English translation: "*With force and against her will.*"

²⁸ Line 655 on page 26 to line 666 on page 27 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

3.12 IC also asked Mr Mark FU Chuen-fu whether Ms LEUNG Ngok-sze had used the word "搶"²⁹ when she first told him about the alleged incident. Mr FU told IC that Ms LEUNG did use the word "搶", and he did not quite believe that at first. Therefore, he asked her once more, "你確定是許智峯議員搶去你的電話?".³⁰ She replied "是許智峯議員搶去我的電話",³¹ and he then started looking for Hon HUI Chi-fung.³²

Hon HUI Chi-fung's own account of his whereabouts

3.13 IC notes from i-CABLE's footage that Hon HUI Chi-fung told the press on 25 April 2018 that he had grabbed the Mobile Phone from Ms LEUNG Ngok-sze to see if any information inside the Mobile Phone was about him. At that time, Ms LEUNG tried to get back the Mobile Phone, and he therefore took it to the nearest toilet on the second floor of the LegCo Complex. While inside the toilet, he looked at the Mobile Phone and browsed what information was contained in it for about 10 minutes. He then came out of the toilet and handed the Mobile Phone to another government official.³³

The reaction of Ms LEUNG Ngok-sze after the alleged incident

3.14 IC asked Mr Mark FU Chuen-fu whether he remembered Ms LEUNG Ngok-sze's expression and tone when she first told him about the incident on 24 April 2018 in Corridor B. Mr FU said that Ms LEUNG looked frightened and was agitated.³⁴ Mr FU also told IC that, when she reported the incident again in Room 112 later that day as mentioned in paragraph 3.10 above, Ms LEUNG was agitated and burst

²⁹ English translation: "Grab".

³⁰ English translation: "Are you sure that Hon HUI Chi-fung has grabbed your phone?"

³¹ English translation: "It is Hon HUI Chi-fung who has grabbed my phone."

³² Lines 477 to 486 on page 19 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

³³ Lines 19 to 24 on page 1; lines 78 to 81 on page 4; lines 109 to 112 on page 5; and lines 126 to 128 on page 6 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

³⁴ Lines 471 to 476 on page 19; and lines 641 to 646 on page 26 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

into tears. He had tried to comfort Ms LEUNG and said that it was not her fault, she had already done her best, and it had nothing to do with her.³⁵ IC asked Mr FU how he came to the observation that Ms LEUNG was frightened and agitated. Mr FU said that when Ms LEUNG recapitulated what had happened, she was crying and waved her hands in a state of agitation. He also sensed that Ms LEUNG was feeling guilty for not being able to protect the Mobile Phone.³⁶

3.15 In response to IC's enquiry, Mr Daniel LIU said that, according to his own observation, when Ms LEUNG Ngok-sze was talking to Mr Sonny CHOW in Room 112, she was frightened but not crying at that time. IC asked Mr LIU how he came to the observation that Ms LEUNG was frightened. Mr LIU said that he felt that Ms LEUNG was nervous when talking in Room 112. Her speech was not smooth, and it seemed that she was unhappy and insecure.³⁷

Content of the paper and the Mobile Phone allegedly grabbed by Hon HUI Chi-fung

The paper

3.16 Mr Mark FU Chuen-fu told IC that, to his understanding, the paper originally held by Ms LEUNG Ngok-sze but later grabbed by Hon HUI Chi-fung should be a document containing Members' names and photos.³⁸ IC notes from i-CABLE's footage that Mr HUI had told the press on 25 April 2018 that when he grabbed the paper from Ms LEUNG to read, he found that the paper contained the membership list of the Bills Committee and Members' photos.³⁹

³⁵ Line 89 on page 3 to line 94 on page 4; lines 240 to 244 on page 10; and lines 413 to 419 on page 16 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

³⁶ Lines 318 to 329 on page 13 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

³⁷ Line 64 on page 3 to line 81 on page 4; and line 236 on page 10 to line 243 on page 11 of the verbatim transcript of Mr Daniel LIU attending a closed hearing of IC on 25 June 2019 (Appendix 10).

³⁸ Line 584 on page 23 to line 592 on page 24 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

³⁹ Lines 19 to 21 on page 1 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

The Mobile Phone

3.17 According to Mr Daniel LIU, Ms LEUNG Ngok-sze had told him that the Mobile Phone grabbed by Hon HUI Chi-fung was provided by the Government.⁴⁰ Mr Mark FU Chuen-fu also told IC that, when Ms LEUNG first told him that the Mobile Phone had been grabbed, she said that the Mobile Phone belonged to the Government. According to Mr FU, his colleagues were each issued a mobile phone in the morning on the day they worked, and the mobile phone was assigned in a way that each officer would not necessarily use the same mobile phone he or she had last used.⁴¹

3.18 Mr Mark FU Chuen-fu had asked the male officer of THB mentioned in paragraph 3.6 above, who was an information technology officer, about the functions of the Mobile Phone and what it could access. The male officer of THB said that the Mobile Phone could access the Google Spreadsheet. Mr FU then asked whether the access right of the Mobile Phone could be removed. As the male officer replied in the negative, Mr FU asked him to delete the spreadsheet.⁴² Mr FU also told IC that the Mobile Phone did not have email or WhatsApp functions.⁴³

3.19 IC notes from i-CABLE's footage that Hon HUI Chi-fung told the press on 25 April 2018 that he found a large amount of Members' personal data in the Mobile Phone, including records of their movements in and out of the LegCo Complex and its conference rooms during meetings in the past three months (including time, specific locations, whether Members were present, etc.). The Mobile Phone also contained some personal data of all LegCo Members.⁴⁴

⁴⁰ Line 72 on page 3; and lines 187 to 190 on page 8 of the verbatim transcript of Mr Daniel LIU attending a closed hearing of IC on 25 June 2019 (Appendix 10).

⁴¹ Lines 369 to 377 on page 15; and lines 617 to 628 on page 25 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

⁴² Lines 63 to 68 on page 3 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

⁴³ Line 604 on page 24 to line 616 on page 25 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

⁴⁴ Line 25 on page 1 to line 29 on page 2 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

3.20 IC asked Mr Mark FU Chuen-fu what information was being kept on the Google Spreadsheet when Hon HUI Chi-fung grabbed the Mobile Phone, and Mr FU's view as to whether there was any sensitive information or information belonging to the Government. In response, Mr FU said that the information on the spreadsheet was about the locations of Members, including whether they were inside the conference rooms of the LegCo Complex, as known to his colleagues. To his understanding, the Mobile Phone should be able to access certain files on their Google Drive besides the Google Spreadsheet, but he was not sure about the details of those other files.⁴⁵

3.21 IC also asked Mr Mark FU Chuen-fu whether the information on the Google Spreadsheet was made available for public access or only for his colleagues' reference in performing their duties, and whether there would be any private information of Ms LEUNG Ngok-sze on the Mobile Phone. In response, Mr FU said that the Government did not make the information on the Google Spreadsheet available for public access and had no intention to do so. As his relevant colleagues were each issued a mobile phone in the morning on the day they were on duty, and the mobile phones would be assigned in a way that an officer would not necessarily use the same mobile phone he or she had last used, there should be no private information of Ms LEUNG in the Mobile Phone.⁴⁶

3.22 IC notes from i-CABLE's footage that Hon HUI Chi-fung had told the press on 25 April 2018 that while inside the toilet, he had looked at the Mobile Phone for about 10 minutes.⁴⁷ When Mr HUI was asked at RTHK's interview whether he had seen any personal information of Ms LEUNG Ngok-sze in the Mobile Phone which was unrelated to LegCo, Mr HUI replied that he thought that he had kept the Mobile Phone for about 10 minutes, and he had focused on seeing whether there was any personal data about him. He said that he had also seen the information about the whereabouts of other Members at the same time as such information was saved together with his in the same file. Other than this,

⁴⁵ Line 279 on page 11 to line 309 on page 12 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

⁴⁶ Lines 617 to 638 on page 25; and line 705 on page 28 to line 724 on page 29 of the verbatim transcript of Mr Mark FU Chuen-fu attending a closed hearing of IC on 6 November 2019 (Appendix 12).

⁴⁷ Line 127 on page 6 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

he could see nothing else, and was not aware that there was any other information.⁴⁸

Hon HUI Chi-fung's explanation of the alleged incident

3.23 IC notes from i-CABLE's footage that at the media interview on 25 April 2018, Hon HUI Chi-fung had said that, when he saw Ms LEUNG Ngok-sze on 24 April 2018, she was holding a piece of paper and the Mobile Phone. He believed that Ms LEUNG was recording information about his whereabouts and so he asked her whether she was doing so, but Ms LEUNG denied. Mr HUI said that he believed Ms LEUNG was performing marshalling duties as he had usually seen, and then asked if she could let him have a look at the paper in her hand, and he grabbed it from her and read. After reading it, he asked Ms LEUNG what she was recording on the Mobile Phone but she did not reply. Therefore, he grabbed the Mobile Phone and examined whether there was any information about him in the Mobile Phone.⁴⁹

3.24 IC notes that during RTHK's interview, Hon HUI Chi-fung was asked whether he had downloaded the information which he considered to have infringed upon his privacy from the Mobile Phone, or just memorized it. Mr HUI replied that "我用了我自己的方法記低了"⁵⁰ and he was going to pass such information to the Privacy Commissioner for Personal Data.⁵¹

3.25 IC also notes from the media interview on 25 April 2018 recorded in the above i-CABLE's footage that Hon HUI Chi-fung had said in English that "*I think it's not correct when I don't have her consent to grab the phone and to look at what's inside, and so I understand that she's just a staff member of the Government, and I feel sorry for such an act*". Later in that interview, he said that without the consent of Ms LEUNG Ngok-sze, he "*grabbed the phone and looked inside, and this is not a*

⁴⁸ Lines 166 to 176 on page 8 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

⁴⁹ Lines 13 to 23 on page 1 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

⁵⁰ English translation: "*I have recorded it (information contained in the Mobile Phone) by my own means.*"

⁵¹ Line 177 on page 8 to line 203 on page 9 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

correct way of doing things" (in English).⁵² In response to a question raised during RTHK's interview on the same day, Mr HUI confirmed that he had grabbed the paper and the Mobile Phone from Ms LEUNG without her consent.⁵³

3.26 During RTHK's interview, Hon HUI Chi-fung was asked why he had grabbed the Mobile Phone from Ms LEUNG Ngok-sze and whether he was too impulsive.⁵⁴ Mr HUI replied that he had been following up the issue of government officers performing marshalling duties in the LegCo Complex, which intruded the privacy of Members and was using public funds to intervene and influence Members' behaviour. Mr HUI said that he had written to the Administration Wing of the Chief Secretary for Administration's Office, which was the coordinator of marshalling activities, asking about what Members' information had been collected. As no reply was received, he wanted to use a more direct method by asking Ms LEUNG, a government officer performing the marshalling duties, about what she was recording on her paper and the Mobile Phone. Mr HUI said during RTHK's interview that this was certainly not a good method.⁵⁵

3.27 In response to another question during RTHK's interview, Hon HUI Chi-fung said that Ms LEUNG Ngok-sze had not allowed him to look at and take the Mobile Phone but he had grabbed the Mobile Phone from Ms LEUNG. Mr HUI further said that it was not a correct way of doing things and Ms LEUNG would find it difficult to accept and feel odd about that. Mr HUI also said that as Ms LEUNG was just a civil servant carrying out her duties, he sincerely hoped to apologize to her and, if there was a chance, to say it to Ms LEUNG in person.⁵⁶ Mr HUI stressed that no matter how wrong the Government had been, it did not mean that he could grab another person's mobile phone, which was also wrong.⁵⁷

⁵² Line 74 on page 3 to line 81 on page 4; and lines 110 to 111 on page 5 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

⁵³ Lines 140 to 143 on page 6 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

⁵⁴ Line 116 on page 5 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

⁵⁵ Line 118 on page 5 to line 127 on page 6 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

⁵⁶ Lines 76 to 82 on page 4 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

⁵⁷ Lines 110 to 114 on page 5; and lines 231 to 233 on page 10 of the verbatim transcript of RTHK's interview on 25 April 2018 (Appendix 6).

**Report of the Legislative Council Investigation Committee established under
Rule 49B(2A) of the Rules of Procedure in respect of the motion
to censure Hon HUI Chi-fung**

3.28 IC notes from i-CABLE's footage that at the media interview on 25 April 2018, Hon HUI Chi-fung repeatedly admitted that without Ms LEUNG Ngok-sze's consent, it was not right for him to grab the Mobile Phone from her and said he would apologize to her.⁵⁸ Mr HUI wished to apologize to Ms LEUNG who might be frightened and upset during her work, and said that he felt sorry for Ms LEUNG's feelings.⁵⁹

3.29 IC also notes from i-CABLE's footage that Hon HUI Chi-fung told the press on 26 April 2018 that what he had done in the alleged incident was very, very wrong and was grossly inappropriate. He considered that his behaviour must have caused great pressure and disturbance to Ms LEUNG Ngok-sze, resulting in public disappointment. At that media interview, Mr HUI apologized to Ms LEUNG and the public, and bowed.⁶⁰

⁵⁸ As mentioned in paragraph 3.25 above, Hon HUI Chi-fung had told the press twice during the media interview on 25 April 2018 as recorded in i-CABLE's footage that he had grabbed the Mobile Phone from Ms LEUNG Ngok-sze without her consent.

⁵⁹ Lines 9 to 12 on page 1; lines 78 to 81, lines 92 to 93, and lines 100 to 104 on page 4; lines 109 to 112, and lines 116 to 119 on page 5; lines 143 to 144 on page 6; lines 168 to 171 on page 7; and lines 178 to 183 on page 8 of the verbatim transcript of i-CABLE's footage on 25 April 2018 (Appendix 4).

⁶⁰ Lines 1 to 6 on page 1 of the verbatim transcript of i-CABLE's footage on 26 April 2018 (Appendix 5).