

Information Paper
for LegCo Members' Meeting with The Ombudsman
on 8 July 2025

Part 1: Work of The Ombudsman's Office in 2024-25

I. Introduction

As the Hong Kong Special Administrative Region (HKSAR) continues its steady progression from stability to prosperity, the HKSAR Government stays focused on boosting the economy, driving development and reform, and enhancing the people's happiness and contentment. The Ombudsman endeavours to assist in raising the standard of public services in the HKSAR pursuant to The Ombudsman Ordinance (the Ordinance), and ensuring a fair and efficient public administration which is committed to accountability and open-mindedness.

2. Under the leadership of the Ombudsman, the Office embraces an innovative attitude in response to the motherland's expectations of the HKSAR: to stay bold in reform, dare to break new ground, and innovate continuously. The Office is constantly reviewing and improving its operational arrangements to facilitate the public's lodging of complaints. For example, we are in the process of enhancing the online complaint form to streamline the complaint procedures.

3. Our work in the past year was directed towards these goals, and will stay on this path in the years ahead.

II. Major Work in 2024-25

A. Three Strategic Focuses for Complaint Handling

4. In 2024-25, the Ombudsman has formulated and championed three strategic focuses: (1) enhancing mediation to effectively and swiftly resolve

public complaints; (2) fostering inter-departmental collaboration to improve service delivery; and (3) cultivating a positive complaint culture within the community. These three initiatives are designed to improve the quality of public administration, deliver tangible benefits to citizens, and strengthen the connection between the Government and the community, fostering a more stable, harmonious and progressive society for all.

Promoting Mediation for Resolving Complaints

5. The Ombudsman has directed the Office to press ahead at full steam with using mediation to handle complaints involving no or only minor maladministration. Mediation can promptly address public demands, improve public administration and redress grievances. By alleviating resentment and fostering social cohesion, mediation helps unite the community in collective efforts to drive economic growth and improve people's livelihood.

6. The Office has introduced a series of measures to promote mediation, including encouraging investigation officers to enrol in mediation training and fully sponsoring their training costs. As of June 2025, all our investigation officers have completed essential mediation training, with 89% having pursued advanced training and 8% (four) attaining professional accreditation as mediators. Having incorporated mediation skills in the core skills of officers, the Office would appraise their mediation performance and outcomes as a key criterion for consideration of promotion or contract renewal. Moreover, at our invitation, all the 106 scheduled government bureaux, departments and public organisations have assigned a mediation coordinator to deal with requests for assistance which we consider suitable for mediation, and to promote mediation in their respective workplace.

7. Under the firm leadership of the Ombudsman and relentless efforts of our officers, we achieved unprecedented results during the year, with an all-time high of 555 cases resolved by mediation, nearly tripling the number of the previous year and accounting for 33.5% of the cases pursued. The average lead time we took for concluding a complaint by mediation was 10.87 days, within which the problems and complaints raised by complainants were resolved speedily and amicably. Two heartwarming cases completed recently are in **Annex I**, where the Office helped the complainants out of their predicament swiftly through mediation.

8. Upon successful conclusion of mediation, we invited the complainants and participating departments and organisations to share their feedback through questionnaire survey. During the year, over 97% of the respondent complainants and participating departments and organisations were satisfied with our mediation service, and over 98% were satisfied with the performance of our mediators. Some of the comments we received are as follows:

- *“I would like to thank and commend the Office of The Ombudsman for its prompt and professional efforts in resolving the problem and successfully negotiating with the Hongkong Post for the reasonable relocation of mailboxes to the village area. In the process, the Office efficiently coordinated and facilitated the participation of various departments, including the Lands Department, the Home Affairs Department, the Agriculture, Fisheries and Conservation Department and the Post Office, in the relocation and delivery arrangements, and successfully resolved the problem, for which we are very grateful. On behalf of the villagers, I would like to express my sincere gratitude for your help.”*
- *“The mediator had a good grasp of the complainant’s demands and views, which enabled the department to accurately explain the progress of the case to the complainant and take follow-up action to achieve successful mediation.”*

9. On 9 May 2025, the Ombudsman attended the Department of Justice’s biennial “Mediate First” Pledge Event as the keynote speaker. The Office was also one of the supporting organisations of the event under the theme “Mediate First: With Great Dialogue Comes Great Understanding”, which aimed to encourage different sectors of the community to first explore the use of mediation as an effective and accessible tool for dispute resolution.

Fostering Inter-departmental Collaboration

10. The Ombudsman’s another strategic focus for the Office is fostering inter-departmental coordination and cooperation. Effective collaboration among departments is crucial to achieving efficient, people-oriented public

administration and good governance. During the year, the Office completed three direct investigation (DI) operations and processed 141 complaint cases involving inter-departmental collaboration.

11. When handling relevant cases, the Office requires all departments and organisations concerned to take proactive action and fully collaborate to effectively resolve difficulties faced by the public. Where unclear divisions of responsibilities involve systemic issues, we explicitly highlight the crux of the matter in our conclusions and urge the departments and organisations to seriously rationalise responsibilities. If necessary, we recommend escalating the matter to higher levels to facilitate dispute resolution and address the problem at its root. After analysing the inter-departmental collaboration cases handled over the past, we found that our intervention had positive impact in four major areas:

- (1) clarify demarcation of responsibilities among departments
- (2) help departments understand the crux of the matter
- (3) enable direct communication among departments regarding the subject matter for launching joint operations
- (4) facilitate information and experience sharing among departments

12. The Office shares latest news and work information through both social media and our website. In addition to the publication of selected investigation reports, we have introduced a new series featuring stories adapted from real-life cases of good people and good deeds, showcasing successful mediation and inter-departmental collaboration closely related to people's livelihood and public interest and highlighting the results brought about by our work.

13. The synopses of one complaint case and one DI operation in **Annex II** illustrate our efforts in fostering inter-departmental collaboration.

Promoting Positive Complaint Culture

14. Promotion of positive complaint culture is a priority aspect of our work over the years. The Office firmly believes that fostering constructive suggestions and positive feedback will enhance efficiency, people-oriented service and responsive governance in public administration. To connect with stakeholders, we employ a variety of communication channels, including

exchange meetings, publicity campaigns, education initiatives and commendation schemes. Not only do we encourage the public to voice their opinions on social issues in a constructive manner, we also advocate that government departments and public organisations serve the public with open-mindedness.

15. During the year, the Office extended the education initiatives on positive complaint culture from secondary to tertiary institutes. A total of 13 seminars were organised for universities, tertiary institutes and secondary schools to instil the positive mindset in students and teaching and administrative staff. The Office also organised 13 sharing sessions and seminars for government departments, public organisations and Mainland entities to brief them on our functions and scope of duties, share practical experiences in handling complaints and advocate a positive and proactive attitude in serving the public. We highlighted our strategic focuses on mediation and inter-departmental collaboration, with a view to optimising workflow and enhancing the standard of public services.

16. Under the annual Ombudsman's Awards Scheme, the Office has introduced two new awards in addition to the three existing Organisation Awards and the Award on Mediation, namely the Information Technology Application & Creativity Award and the Customer Services Award. The new awards give recognition to departments and organisations for applying the latest technology to deliver services in innovative ways, and for providing the best customised services and solving problems for the public with a people-oriented and adaptive mindset.

17. To acknowledge and encourage the contributions of all parties to the positive complaint culture, the Ombudsman has introduced a dual-track commendation scheme to recognise government departments, public organisations and members of the public. During the year, we issued 41 appreciation letters to 16 departments and organisations, and presented 19 appreciation certificates to members of the public for contributing to the improvement of public administration.

Preparation for Establishing Hong Kong International Ombudsman Academy

18. The Office is actively preparing for the establishment of the Hong Kong International Ombudsman Academy (the Academy) to provide comprehensive training for government departments and public organisations, enhance the professional capabilities of our staff, and promote exchanges and cooperation between the Office and ombudsman institutions worldwide. The Ombudsman led a group of colleagues to call on the heads and representatives of the Department of Justice, the Hong Kong International Academy Against Corruption and the Civil Service College in succession. We exchanged views on the promotion of mediation and the development of various types of professional training.

19. In August 2025, the Academy will organise its first exchange session to share with relevant staff of government departments and public organisations the insights and best practices for handling complaints through mediation. The Academy will also instil the concept of “complaint prevention” in public officers, motivating them to deliver better and more targeted public services.

B. Enhancing Standard of Public Services and Addressing Systemic Flaws

DI Operations and Full Investigations

20. Under the legislation, the Ombudsman may, of his own volition, initiate DI operations where injustice may have been caused by maladministration. Our DI operations may be prompted by issues of community concern or significant public interest indicative of suspected systemic problems which need to be rectified. During the year, the Office completed eight DI operations on the following topics:

- Government’s Regulation of Occupational Safety and Health in Construction Industry
- Government’s Work in Combating Abuse of Public Housing Resources
- Government’s Arrangements for Recovery, Refurbishment and

Reallocation of Public Rental Housing Flats

- Housing Department's Management of Public Housing Estates: Illegal Parking
- Transport Department's Arrangements for Driving Tests
- Government's Provision of Public Services Relating to the After-death Arrangements
- Enforcement by Planning Department and Lands Department against Unauthorised Land Developments
- Leisure and Cultural Services Department's Handling of Obstructions to Passageways by Bicycles Owned by Operators of Bicycle Rental Services

21. In complaint handling, the Office will conduct full investigation into complex cases which appear to involve issues of principle, serious maladministration, gross injustice, systemic flaws or procedural deficiencies, or simply require deeper and fuller probing. During the year, 40 complaints were concluded by full investigation, 57.5% of the cases were substantiated, partially substantiated or unsubstantiated but with other inadequacies found.

Recommendations and Observations

22. Upon completion of DI operations or full investigations, the Office will make recommendations for improvement to the departments or organisations as appropriate. During the year, we made a total of 254 recommendations, including 148 in DI operation reports and 106 in full investigation reports. The total number of recommendations soared by 37% as compared to that of the previous year, and hit a record high in a span of five years.

23. Our impactful recommendations are essential and effective for rectifying systemic issues and improving overall service quality. All the recommendations we made during the year have been accepted by the departments or organisations concerned, including some having been pursued and implemented.

24. Our DI operation into the Government's Regulation of Occupational Safety and Health in Construction Industry is the most extensive, in-depth and elaborate in recent years. The Office made 40 recommendations for improvement covering nine areas, including the Labour Department to explore

formulating templates of inspection checklist for different types of high-risk operations, to conduct a comprehensive review of the requirements for maintenance of inspection records by “competent persons”, and in the long run, to explore the development of an electronic platform for contractors and “competent persons” to upload inspection records and forms to facilitate monitoring and random checking; the Buildings Department to speed up processing of the cases previously omitted and promptly refer cases warranting disciplinary action to the Registered Contractors’ Disciplinary Board, and to expedite the amendment to the Buildings Ordinance to enhance the disciplinary system; and the Development Bureau to continue to review the tender evaluation system for public works in a timely manner to ensure that only contractors whose performance meets the safety standards would be awarded contracts.

25. The Chief Executive acknowledged the results of this DI operation, and announced in April this year that a working group led by the Chief Secretary for Administration would thoroughly review the recommendations in our DI operation reports to ensure proactive implementation. The Ombudsman is grateful for the Chief Executive’s recognition of our work. In response to invitation, the Ombudsman met the Chief Secretary for Administration, the Secretary for the Civil Service and relevant senior officials on 9 May this year to deliberate on the findings and analyses of the Office’s investigation into the Government’s regulation of occupational safety and health in the construction industry, and exchange views on strengthening the management systems and performance accountability of departments.

26. Separately, two DI operations of the public housing series, namely the Government’s Work in Combating Abuse of Public Housing Resources and the Government’s Arrangements for Recovery, Refurbishment and Reallocation of Public Rental Housing Flats, are particularly influential. In the first report, the Office made 31 recommendations, covering the applicable scope of the Well-off Tenants Policy implemented by the Hong Kong Housing Society (HKHS), the Hong Kong Housing Authority (HKHA) and HKHS’ detection of abuse relating to “income and assets declaration” and “occupancy status”, routine home visits, feasibility of increasing the deterrent effect with heavier penalties imposed on public housing abuse, etc. In the second report, the Office made 19 recommendations, including that the Housing Department (HD) should explore how to improve the procedures for handling cases involving tenants’

failure to vacate and surrender their flat upon expiry of the deadline prescribed in the Notice-to-Quit; HKHS should explore shortening the time frame to within 14 days for issuing the refurbishment works order after recovering a flat, and review the workflow and standards of refurbishment works of vacant flats; HD and HKHS should explore setting of target for reallocation after recovery of flats where feasible, enhance the statistics compilation and analysis function of the computer system, revise the guidelines on handling the tenancy matters of deceased singleton tenants, and strengthen staff training. In combating abuse and ensuring optimal use of public housing resources, the Office has been working hand in hand with the Government to resolve the pressing needs of those waitlisted for public housing for a long time, thereby enhancing the public's sense of happiness and contentment.

27. The most poignant topic among the DI operations completed during the year must be the Government's Provision of Public Services Relating to the After-death Arrangements. After the Office initiated this DI operation, the Food and Environmental Hygiene Department (FEHD) launched in November 2024 the After-death Arrangements thematic website assembling information on green burials and its after-death public services. The Office made a total of ten recommendations for improvement. Among others, we recommended that based on the online platform launched by FEHD, other departments and organisations, including the Immigration Department, the Department of Health and the Hospital Authority, should explore the development of a truly inter-departmental one-stop thematic website enabling family members to apply for the relevant after-death public services online and complete the procedures more expeditiously, saving them the inconvenience of applying for services at various offices in person. Our recommendation can significantly ease the burden and emotional distress of the bereaved when managing after-death arrangements.

28. The above examples show that our DI operations are pragmatic and people-oriented. Two cases concluded by full investigation in **Annex III** illustrate how we improved public administration.

29. Apart from DI operations and full investigations, starting from November 2024, the Office has also put forward our observations to departments or organisations after concluding a case by inquiry, presenting our views or suggestions as regards any inadequacy or area for improvement, or

giving positive comments to recognise the effective measures taken by departments or organisations for better administration. The Office made 106 observations during the year.

C. Office Reorganisation

30. The Ombudsman has initiated a phased reorganisation of the Office since April 2025, with a view to flexibly redeploying available resources to better perform the various important functions under the Ordinance.

31. The Office has streamlined its directorate establishment from a three-tier to a two-tier directorate structure by freezing the vacancy of Deputy Ombudsman. Instead, three Assistant Ombudsmen, all reporting directly to the Ombudsman, are appointed to head three major divisions, namely the Complaints Investigation Division, the Direct Investigation Division, and the Complaints Assessment and Support Division.

32. Moreover, the Office has redeployed human resources to strengthen the work of DI operations by increasing the number of Direct Investigation Teams from two to three, and consolidating the number of Complaints Investigation Teams from six to four. In addition, the Office has augmented the staffing for complaint assessment to play a gatekeeping role and ensure prudent handling of each complaint, and has streamlined the complement of administrative and support staff.

33. The Office will adhere to the strategy of structured training and internal promotion to cultivate a contingent of experienced, competent, loyal, proactive and self-motivated investigation officers and support staff that are dedicated to our country and Hong Kong.

D. International Connections

34. The Office actively participates in and establishes platforms for international cooperation, and maintains close liaison with international counterparts. We seize opportunities for exchanging and sharing experiences with them, present to global audiences a good story about Hong Kong under

“One Country, Two Systems”, and leverage the unique position of having strong support from the motherland and close connections to the world.

International Ombudsman Summit and The Ombudsman’s 35th Anniversary

35. To commemorate our 35th anniversary, the Office hosted the inaugural International Ombudsman Summit 2024 (IOS 2024) on 3 December 2024. IOS 2024 was honoured by the presence of distinguished speakers, including the Chief Executive, Mr John Lee; the Chief Secretary for Administration, Mr Chan Kwok-ki; the Deputy Commissioner of the National Public Complaints and Proposals Administration, Mr Li Zijun; and the Director-General of the International Cooperation Department of the Central Commission for Discipline Inspection (CCDI) and the National Commission of Supervision (NCS), Mr Cai Wei. Additionally, the Deputy Director of the Liaison Office of the Central People’s Government (LOCPG) in the HKSAR, Mr Liu Guangyuan; and the Deputy Commissioner of the Office of the Commissioner of the Ministry of Foreign Affairs of the People’s Republic of China in the HKSAR, Mr Fang Jianming, officiated at the Opening Ceremony.

36. IOS 2024, with the theme “Ombudsman in a Changing World: Learning from the Past; Preparing for the Future”, provided a global platform for ombudsmen from diverse jurisdictions and systems, dispute resolution organisations, professionals and academics to exchange and share insights, experiences and best practices. It also facilitated meaningful conversations on the evolving challenges faced by ombudsman systems and institutions, while fostering in-depth deliberations on future developments in the field. Around 140 overseas and Mainland participants from nearly 40 countries and regions across six continents, including a multitude of ombudsmen, over 30 consuls stationed in Hong Kong, and senior personnel from more than 20 international bodies and regional organisations, attended IOS 2024. The International Monetary Fund, the World Bank, the Asian Infrastructure Investment Bank and the Office of European Union to Hong Kong and Macao were among such organisations.

37. IOS 2024 Closing Ceremony and The Ombudsman’s 35th Anniversary Reception Ceremony were held on the evening of the same day. At the ceremonies, the Office signed and exchanged a Memorandum of Understanding

on Bilateral Cooperation with representatives from eight countries and regions across five continents, witnessed by the Chief Executive. They included Ontario, Canada, and Hawaii, the United States, in North America; Curaçao in Latin America; Slovakia in Europe; Indonesia, Korea and Macao in Asia; and Zambia in Africa. The aim was to foster professional knowledge and information exchange, build long-term partnerships, and demonstrate Hong Kong's important role as a "super connector" and "super value-adder".

Mainland and Overseas Liaison

38. At present, the Ombudsman is the Secretary of the Asian Ombudsman Association (AOA). In January and March 2025, the Ombudsman was appointed respectively as a member of the UN and International Cooperation Working Group, and the Chairman of the Standing By-laws Committee under the International Ombudsman Institute (IOI). Moreover, in May 2025, the Ombudsman was appointed to the Board of Directors of the Australasian and Pacific Region of the IOI to participate in the discussions and resolutions of regional business and the IOI's core work, reinforcing the reputation and status of the Office within the IOI.

39. During the year, the Ombudsman actively engaged with the international ombudsman community to promote Hong Kong's thriving progression from stability to prosperity. In mid-May 2024, he led a delegation to attend the 13th IOI World Conference in The Hague, the Netherlands. On 28 June 2024, the Ombudsman, in the capacity of AOA Secretary, attended the 25th Meeting of the AOA Board of Directors in Istanbul, Türkiye. From 12 to 15 May 2025, the Ombudsman and his delegation attended the IOI Annual Board Meeting in Rabat, Morocco. He reported on the progress of the amendments to the By-laws and participated as a member in the meeting of its UN and International Cooperation Working Group, actively promoting international ombudsman matters.

40. The Office has maintained close relationship with our Mainland counterparts. In August 2024, the Ombudsman led a delegation to visit LOCPG and met with its Deputy Director, Mr Liu Guangyuan, and representatives of its Department of Law. Subsequently in the same month, the Ombudsman led a delegation to Beijing to call on Mr Fu Kui, Deputy

Secretary of CCDI and Vice Chairman of NCS, and exchange experiences with the leadership of the Information Centre of CCDI and NCS.

E. Key Figures

41. During the year, the Office received 8 211 enquiries and 4 402 complaints related to various topics. We completed processing 4 664 complaint cases, among which 3 009 were closed after assessment and 1 655 were pursued and concluded.

42. Based on the allegations made by complainants, the top three causes of complaints during the year were “Error, wrong advice or decision”, “Delay or inaction”, and “Ineffective control”.

43. Depending on the nature and complexity of the cases, the Office will handle the complaints received and screened in by way of mediation, inquiry or full investigation.

Handling mode	No. of cases	Percentage
By mediation	555	(33.5%)
By inquiry	1 060	(64.1%)
By full investigation	40	(2.4%)
Pursued and concluded	1 655	(100%)

44. The Office exceeded all the 11 targets of our service standards in handling enquiries, complaints, re-assessment and review of complaints.

III. The Way Forward

45. The Ombudsman has instructed the Office to carry through the three strategic focuses in the coming year. The reorganisation of the Office has largely been completed and the Office has been operating smoothly. All staff will continue to dedicate themselves to their positions and promoting fairness and efficiency in public administration.

46. After a year of devoted efforts, the Office has laid a solid foundation for mediation, which has been widely accepted by government departments, public organisations and members of the public as a mode of complaint handling. Building on the solid foundation laid in the past year, the Office looks forward to further steady development of mediation in the coming year. The Office will continue to deliver tangible results and step up using mediation to redress public grievances.

47. Our preparations for establishing the Academy are in full swing. Its first exchange session on mediation is scheduled for 25 August 2025. We look forward to forging greater consensus to promote quality services centred on mediation. In line with our firm belief in “prevention is better than cure”, the Academy will endeavour to instil the concept of “complaint prevention” in public officers to enhance their vigilance and take precautions against maladministration. This also marks a significant milestone of the Office in driving positive change in public administration.

48. The Office will step up DI operations, focusing on issues of significant public interest, economy and people’s livelihood. Our DI operations are pragmatic, not theoretical discussions, nor do we deal with petty and trivial matters. Moreover, we will initiate a series of DI operations under a common theme to explore different aspects of related or similar topics holistically, such as the series on public housing resources comprising the completed DI operations into the Government’s Work in Combating Abuse of Public Housing Resources, and the Government’s Arrangements for Recovery, Refurbishment and Reallocation of Public Rental Housing Flats. We will proactively make pragmatic and effective recommendations and observations, especially on streamlining workflow and enhancing efficiency to bring about improvement in public administration.

49. Separately, to deepen the public’s understanding of our work, the Office, if considering it appropriate, will announce the decision to conduct full investigation into a complaint to widely collect the views of society, making the investigation more thorough and comprehensive. After concluding cases by full investigation, the Office will continue to publish selected investigation reports on website and social media to raise awareness of our work.

50. As regards complaint assessment, the Office will play the gatekeeping role under the Ordinance to screen in cases pursuant to the Ordinance. The Office will focus resources on those complaints that require assistance. The Ombudsman himself will scrutinise each complaint to ensure proper handling and no omissions.

51. On the international front, the Ombudsman, in the capacity of AOA Secretary, will lead a delegation to Nanjing to attend the 26th Meeting of the AOA Board of Directors and the 18th General Assembly in September 2025. During this event, the Ombudsman will participate in the discussions and resolutions of AOA business, reinforce the professional networks and relationships in the Asian region, and uphold the Office's reputation and status established over the years.

52. Regarding the Ombudsman's Awards and the cultivation of positive complaint culture, the Office will introduce Team Awards in addition to the existing Individual Awards to recognise the outstanding performance of teams of public officers, and to encourage team spirit in government departments.

53. The Office has adhered to the principles of independence, objectivity and impartiality without fear or favour, and strived to ensure that Hong Kong is served by a fair and efficient public administration. The Ombudsman will continue to champion the strategic focuses outlined above, and all staff of his Office are fully committed to their duties and dedicated to our country and Hong Kong. With the collaboration and support of government departments and public organisations, our society will be more stable, harmonious and progressive, thereby enhancing the public's sense of happiness and contentment.

Part 2: Replies to Questions Raised by Members

The mechanism of direct investigations of the Office of The Ombudsman

(To be raised by Hon Carmen KAN Wai-mun)

1. [Through its mechanism of direct investigations, how does the Office of The Ombudsman stay more attuned to issues of public concern while enhancing its accountability?]

Matters relating to railway incidents

(To be raised by Hon Stanley LI Sai-wing)

2. [A number of railway incidents occurred in 2025, including the one caused by the malfunction of an engineering train near Tai Wo Station on 5 February, another engineering train malfunction near Fo Tan Station on 27 April, and the most serious one on 22 May where a short-circuit of overhead cables led to a complete service suspension of the Tseung Kwan O Line for nearly five hours. These incidents not only disrupted commuters' journeys, but also exposed the potential safety risks of the railway system. As the regulator, the Electrical and Mechanical Services Department ("EMSD") has implemented the Comprehensive and Direct Assessment since 2019, which involves proactive auditing on the asset management of four major railway assets (namely permanent ways, power distribution systems, rolling stock and signalling systems) of the MTR Corporation Limited ("MTRCL"). Furthermore, EMSD also conducts special audits as and when necessary on specific items (such as trackside equipment, structural buildings, training for train captains and power supply systems) in response to railway incidents. However, the frequency of recent incidents suggests that the existing monitoring mechanism may be inadequate. It is important for the Administration to conduct a comprehensive review of the effectiveness of the audits and the follow-up mechanism. In this connection, will The Ombudsman consider initiating direct investigation into the regulatory work of EMSD? If so, the scope of the investigation should include the following:

- (a) Regarding the incident investigation mechanism, how does EMSD initiate investigations?
- (b) In respect of the monitoring mechanism, how does EMSD ensure the effective implementation of the improvement measures by MTRCL?
- (c) In terms of preventive measures, how does EMSD prompt MTRCL to continuously improve the system to prevent the recurrence of similar incidents?
- (d) In respect of resource allocation, are the existing manpower and professional support of EMSD sufficient to cope with the investigation of emergencies?]

Reply to Questions 1 and 2:

- (i) Notwithstanding that no complaint has been made to him, the Ombudsman is empowered by The Ombudsman Ordinance (the Ordinance) to initiate, of his own initiative, direct investigation (DI) operation where injustice may have been caused by maladministration. The Ombudsman's direction to initiate DI operations is triggered by issues of community concern or significant public interest indicative of suspected systemic problems, injustice or unreasonableness which need to be rectified as soon as possible.
- (ii) The Office constantly conducts in-depth analysis to explore any need to launch DI operations through multiple channels, including complaints received, suggestions from the public, news and current affairs, community concerns, questions raised in political councils, etc. We pay specific attention to the Legislative Council's questions to the Government, motion debates, panel meetings and individual topics raised by Members, particularly focusing on issues closely related to people's livelihood and economy and the promotion of cross-departmental collaboration to address public concern, with a view to enhancing the standard of public administration, ensuring public safety, improving people's well-being and fostering social harmony. In this light, we concentrate resources and prioritise topics for initiating DI operations based on urgency and importance.
- (iii) Members are welcomed and sincerely invited to suggest and propose topics for initiating DI operations.

- (iv) Through DI operations, the Office has been making recommendations for improvement of public administration to government departments and public organisations, including recommendations on departmental management systems and performance accountability. For example, regarding our DI operation completed in April this year into the Government's regulation of occupational safety and health in the construction industry, the Ombudsman was invited to meet with the Chief Secretary for Administration, Mr Chan Kwok-ki; the Secretary for the Civil Service, Mrs Ingrid Yeung; and relevant senior officials to deliberate on the findings and issues on 9 May this year. We also had a candid discussion on the bottlenecks and challenges, and a thorough exchange of views on ways to strengthen departmental management systems and reinforce performance accountability. The current-term Government's commitment to strengthening departmental management systems, reinforcing the performance of managerial staff, and enhancing public service management and efficiency demonstrates its devotion and dedication to fostering good governance. The Office will fully support and cooperate in enhancing the efficiency of public administration to ensure continuous delivery of quality services for the community.
- (v) To strengthen the work of DI operations, the Office has flexibly redeployed available resources through reorganisation. In particular, a new Direct Investigation Division, headed by the dedicated Assistant Ombudsman, has been established and expanded from two to three teams.

Functions of the Office of The Ombudsman

(To be raised by Dr Hon TIK Chi-yuen)

3. [The following questions are raised regarding the functions of the Office of The Ombudsman:
- (a) Will the Office of The Ombudsman consider expanding its statutory purview to cover more organizations (such as universities or other educational institutions) to further enhance the transparency and accountability of public administration?
 - (b) Given that the recommendations of The Ombudsman are non-binding on government departments under the existing system, will the Office of The Ombudsman consider taking forward legislative exercise to make its recommendations legally binding, thereby enhancing the efficacy of its oversight of government departments and organizations concerned?

- (c) How does the Office of The Ombudsman plan to enhance its public education work (such as through innovative publicity or collaboration with educational institutions), so as to more effectively promote public awareness of the statutory purview of the Office of The Ombudsman?]

Reply:

- (i) Established under the Ordinance, the Office serves as the HKSAR's independent watchdog of public administration. We are empowered to investigate complaints from any aggrieved persons about maladministration by the 106 government departments and public organisations listed in Part 1 of Schedule 1 to the Ordinance.

We are always on the lookout for the development of public administrative structure and maintain close contact with the Government for possible additions to the Schedule, thereby bringing them within our jurisdiction and making recommendations to them where necessary.

- (ii) The Government has all along attached importance to our recommendations. In April this year, the Office announced the completion of a DI operation into the Government's regulation of occupational safety and health in the construction industry, with a total of 40 recommendations made to the Labour Department, the Buildings Department and the Development Bureau. On the day following the release of our DI operation report, the Chief Executive announced that the Chief Secretary for Administration would lead a working group to conduct in-depth reviews of the recommendations made in our report to ensure proactive follow-up. The Office is grateful to and encouraged by the Chief Executive for the importance he attaches to our work. We will continue to work with government departments and public organisations under the existing mechanism to enhance the efficiency of public administration.
- (iii) Under the existing mechanism, after making recommendations upon completing DI operations and full investigations, the Office requires the departments or organisations concerned to report at regular intervals, such that we can monitor the implementation progress until all our recommendations are fully implemented. All the recommendations we made in 2024-25 were accepted by the departments or organisations, including some having been followed up and implemented. We will continue to monitor the progress of implementation of other recommendations. Where a department or an organisation fails to take forward a recommendation, we will press the department or organisation

for serious action; where necessary, the Ombudsman may submit a report to the Chief Executive pursuant to the Ordinance.

- (iv) To promote a positive complaint culture in the community, and at the same time instil the concept of “complaint prevention” in public officers and motivate them to deliver better and more targeted public services, the Office is set to establish the Hong Kong International Ombudsman Academy in August this year. Seminars, workshops and other interactive training will be organised to promote good governance for enhancing the public’s sense of happiness and contentment. Advocating the important concept of “complaint prevention” marks a significant milestone of the Office in driving positive change in public administration.
- (v) On the other hand, the Office considers that public education for the next generation is indispensable. To reach out to the younger generation and deepen their understanding of our mission and functions, in 2024-25 we organised school talks for several local secondary schools, with about 900 senior secondary students and teaching and administrative staff in attendance. This year, we also extended public education to tertiary institutes by organising seminars and career talks at six local universities. The teaching and administrative staff and tertiary students attending our seminars appreciated the useful and comprehensive information.

Issues on interdepartmental collaboration

(To be raised by Dr Hon SO Cheung-wing)

- 4. [The Administration is often found to be inefficient in interdepartmental collaboration, an issue that remains unresolved fundamentally. Take the Private Columbaria (Amendment) Bill 2024 passed by the Legislative Council on 21 May 2025 as an example. Over a span of 7 years, only 13 licences and 5 exemptions for private columbarium have been granted, leaving a backlog of 77 pending applications. This is partly attributed to the undesirable situation of duplication and fragmentation of policies, which means overlapping and entangled responsibilities among various government departments such as the Lands Department, the Buildings Department, the Fire Services Department and the Food and Environmental Hygiene Department, leading to lengthy approval processes and a lack of effective coordination mechanisms. There are indeed many similar examples which have hindered the social progress of Hong Kong. The Office of the Ombudsman probably knows this well. In this regard, does the Office of The Ombudsman have any solution?]

Reply:

- (i) In 2024-25, the Ombudsman put forward three strategic focuses for the Office, one of which is fostering inter-departmental collaboration to improve service delivery.
- (ii) Effective collaboration among departments is crucial to achieving efficient, people-oriented public administration and good governance. In the reporting year, we completed three DI operations and processed 141 complaint cases involving inter-departmental collaboration.
- (iii) When handling relevant cases, we require all departments and organisations concerned to take positive and proactive follow-up action and collaborate fully with other relevant parties to effectively resolve the difficulties faced by the public. Where systemic deficiencies or unclear divisions of responsibilities are involved, we explicitly highlight the crux of the matter in our conclusions and urge the departments and organisations to seriously rectify deficiencies and rationalise responsibilities. If necessary, we recommend escalating the matter to a higher level to explore and find solution and address the problem at its root.
- (iv) The Office will press ahead with the strategic focus of fostering inter-departmental collaboration to improve service delivery, thereby helping departments clarify the demarcation of responsibilities, identifying the crux of the matter, enabling direct communication regarding the subject matter among departments and organisations for launching joint operations, and facilitating close partnership and information and experience sharing among departments and organisations.

Office of The Ombudsman
June 2025

Selected Cases of Mediation

Case 1: Immigration Department's fast-tracked notification of visa approval for stress-free newborn arrival

After admission to work in Hong Kong under the Immigration Arrangements for Non-local Graduates of the Immigration Department (ImmD), a husband applied to ImmD for dependant visas for his pregnant wife and school-attending son who had moved to Hong Kong with him. However, the visa approval remained pending, preventing his expectant wife from attending scheduled antenatal examinations or arranging hospitalisation for delivery. Meanwhile, he was deeply concerned that his son's education in Hong Kong might be disrupted. The uncertainty caused him serious distress, prompting him to seek assistance from the Office.

Upon assessing the case, the Office considered mediation can resolve the applicant's concerns more directly and efficiently. We quickly engaged with ImmD and found that his application for dependant visas had already been approved, only that he had not yet been notified because there were too many applications. Following mediation, ImmD immediately expedited the process and eventually notified the applicant of the visa approval on the same day.

The applicant was highly satisfied with the swift and satisfactory resolution of his case through mediation and wrote to thank the Office for the people-oriented service. The successful mediation of the case within half a day was another example of ImmD's responsiveness and flexibility in addressing public demands.

Case 2: Social Welfare Department's flexible approach to CSSA application from the recipient's perspective

An elderly recipient in his 80s of the Comprehensive Social Security Assistance (CSSA) Scheme, administered by the Social Welfare Department (SWD), had painstakingly saved his allowance to cover the cost of a necessary coronary artery bypass graft surgery. However, when the time came for CSSA

renewal, SWD rejected his application on the grounds that his assets exceeded the eligibility limit. Without CSSA, he had to cover public housing rent and living expenses all by himself. Later, when his asset level again fell below the eligibility threshold, SWD further required him to settle the previous overpayment in one lump sum before processing his CSSA renewal. Fearing that such a large repayment would deplete all his savings and leave him unable to sustain his livelihood, he approached the Office for assistance.

Recognising the elderly applicant's helplessness, the Office stepped in and proposed mediation with SWD. After review, SWD understood his situation and decided to handle his case flexibly. It swiftly approved his renewal application and assisted him in applying for settlement of overpaid allowance in instalments. Additionally, he received back payments of the Old Age Living Allowance for the period during which he was ineligible for CSSA, along with the CSSA since his eligibility was reinstated.

He was deeply grateful to the Office for resolving his anxiety through mediation and sincerely appreciated SWD's understanding and flexible arrangements, which restored his financial stability and peace of mind.

Selected Cases of Inter-departmental Collaboration

Case 1: Post Office, Home Affairs Department, Lands Department and Agriculture, Fisheries and Conservation Department worked together to resolve conflicts

The complainant, the village representative of a relatively remote village in the New Territories, stated that for many years his fellow villagers had used the residents' mailboxes located about half an hour's drive away to receive mail. He therefore proposed to relocate the residents' mailboxes to within the village, but was rejected by the Post Office (PO) on the grounds that it could not arrange for postmen to deliver mail to the village. The complainant then lodged a complaint with The Ombudsman regarding PO's delivery arrangements.

Following our mediation, the complainant acknowledged the difficulties faced by PO in delivering mail. He agreed on behalf of the villagers that if the residents' mailboxes are relocated to within the village, PO will not have to arrange daily delivery when the mail volume is low. Instead, mail items will be accumulated for several days and delivered to the village in one batch. After consideration, PO agreed to the above delivery arrangements and the relocation of the residents' mailboxes.

The Office immediately informed the District Office (DO) under the Home Affairs Department, which is responsible for installation of the residents' mailboxes, and the DO agreed to commence the relocation process promptly, including consultation with the Lands Department (LandsD) and the Agriculture, Fisheries and Conservation Department (AFCD). We also reached out to LandsD and AFCD, and both departments agreed to follow the established procedures upon receiving the DO's consultation request.

Through inter-departmental collaboration, a problem has been resolved for the public.

Case 2: Effectiveness of 1823 in Handling Complaints and Enquiries

Under the Efficiency Office¹ (EO), 1823 provides a one-stop service round the clock to answer public enquiries about the services of 23 participating departments, and receive complaints about Government services. Our investigation found that 1823 could not effectively resolve cross-departmental complaints and complaints involving unclear delineation of responsibilities. We consider that 1823 should escalate cases about recurring district problems involving unclear delineation of responsibilities in a timely manner to the high-level structure of the Government for effective resolution. Our investigation also identified room for improvement in 1823's handling of calls, cooperation arrangements with participating departments, daily operations and use of data.

The Ombudsman made 13 recommendations to EO, including that it should stringently enforce the requirement that departments reply within a specified time limit with reasons if they consider a case outside their purview or should be handled by another department; establish a mechanism and draw up guidelines to standardise and regularise the procedures for escalating cases about recurring district problems with unclear delineation of responsibilities to the respective District Officers of the Home Affairs Department or the Task Force on District Governance (TFDG) in a systematic, proper and timely manner; request participating departments to submit forecast plans of new services or arrangements on a regular basis for preparation accordingly; proactively monitor and conduct timely review of the newly upgraded telephone system with a view to further enhancing 1823's call answering rate; expand the application of artificial intelligence on enquiry handling; and conduct systematic analyses of cross-departmental cases and consolidate relevant data, submit reports to the TFDG from time to time to facilitate the Government's resolution of cross-departmental district issues.

The Digital Policy Office has fully implemented our improvement recommendations.

Note 1: Merged with the Office of the Government Chief Information Officer for the establishment of the Digital Policy Office on 25 July 2024.

Selected Cases Concluded by Full Investigation

Case 1: Water Supplies Department enhanced mechanism for replacing water meters

The complainant was informed, more than a year after closure of her water account, that during the water meter replacement works several years earlier, the water meters of her flat and a neighbouring flat had been mixed up. It resulted in water charge adjustment and the complainant was required to pay thousands of dollars. Our investigation revealed that the Water Supplies Department (WSD) had not only mixed up the water meters, but also failed to properly follow up on the water accounts. We were pleased to note that WSD had taken the initiative to require all its staff to exercise greater care and caution when checking relevant documents after replacing water meters, and had enhanced the monitoring mechanism for handling complaint cases. We also recommended that WSD amend its guidelines to require its staff to give written notice to affected consumers in water meter mix-up cases within a specified time frame.

Case 2: Leisure and Cultural Services Department enhanced tender process

The Office investigated two cases concerning the tender process for conducting food business at venues managed by the Leisure and Cultural Services Department (LCSD). In one of the cases, we found inadequate internal communication within LCSD, resulting in a confusing situation that shortly after an LCSD staff had notified the complainants that their tender was unsuccessful and instructed them to restore the business premises to original status, LCSD then indicated acceptance of their tender price. In the other case, we considered that there was room for improvement in provision of tender schedule and relevant information to tenderers. We recommended that LCSD step up training for relevant staff, introduce measures to enhance internal communication, remind staff of the proper procedures and points to note when negotiating for tenders in future, and enhance the transparency of tender information to avoid misunderstanding.