

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 27 April 1995

The Council met at half-past Two o'clock

PRESENT

THE PRESIDENT

THE HONOURABLE SIR JOHN SWAINE, C.B.E., LL.D., Q.C., J.P.

THE CHIEF SECRETARY

THE HONOURABLE MR MICHAEL SUEN MING-YEUNG, C.B.E., J.P.

THE FINANCIAL SECRETARY

THE HONOURABLE SIR NATHANIEL WILLIAM HAMISH MACLEOD, K.B.E., J.P.

THE ATTORNEY GENERAL

THE HONOURABLE JEREMY FELL MATHEWS, C.M.G., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, C.B.E., J.P.

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P.

THE HONOURABLE HUI YIN-FAT, O.B.E., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, O.B.E., LL.D., J.P.

THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.

THE HONOURABLE PANG CHUN-HOI, M.B.E.

THE HONOURABLE SZETO WAH

THE HONOURABLE TAM YIU-CHUNG

THE HONOURABLE RONALD JOSEPH ARCULLI, O.B.E., J.P.

THE HONOURABLE MARTIN GILBERT BARROW, O.B.E., J.P.

THE HONOURABLE MRS MIRIAM LAU KIN-YEE, O.B.E., J.P.

DR THE HONOURABLE LEONG CHE-HUNG, O.B.E., J.P.

THE HONOURABLE JAMES DAVID MCGREGOR, O.B.E., I.S.O., J.P.

THE HONOURABLE MRS ELSIE TU, C.B.E.

THE HONOURABLE PETER WONG HONG-YUEN, O.B.E., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE VINCENT CHENG HOI-CHUEN, O.B.E., J.P.

THE HONOURABLE MARVIN CHEUNG KIN-TUNG, O.B.E., J.P.

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHIM PUI-CHUNG

THE HONOURABLE FREDERICK FUNG KIN-KEE

THE HONOURABLE TIMOTHY HA WING-HO, M.B.E., J.P.

THE HONOURABLE MICHAEL HO MUN-KA

DR THE HONOURABLE LAM KUI-CHUN

DR THE HONOURABLE CONRAD LAM KUI-SHING, J.P.

THE HONOURABLE EMILY LAU WAI-HING

THE HONOURABLE LEE WING-TAT

THE HONOURABLE ERIC LI KA-CHEUNG, J.P.

THE HONOURABLE FRED LI WAH-MING

THE HONOURABLE MAN SAI-CHEONG

THE HONOURABLE STEVEN POON KWOK-LIM

THE HONOURABLE HENRY TANG YING-YEN, J.P.

THE HONOURABLE TIK CHI-YUEN

THE HONOURABLE JAMES TO KUN-SUN

DR THE HONOURABLE SAMUEL WONG PING-WAI, M.B.E., J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE HOWARD YOUNG, J.P.

THE HONOURABLE ZACHARY WONG WAI-YIN

DR THE HONOURABLE TANG SIU-TONG, J.P.

THE HONOURABLE CHRISTINE LOH KUNG-WAI

THE HONOURABLE ROGER LUK KOON-HOO

THE HONOURABLE ANNA WU HUNG-YUK

THE HONOURABLE JAMES TIEN PEI-CHUN, O.B.E., J.P.

THE HONOURABLE ALFRED TSO SHIU-WAI

THE HONOURABLE LEE CHEUK-YAN

ABSENT

THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.

THE HONOURABLE ANDREW WONG WANG-FAT, O.B.E., J.P.

THE HONOURABLE LAU WONG-FAT, O.B.E., J.P.

THE HONOURABLE EDWARD HO SING-TIN, O.B.E., J.P.

THE HONOURABLE MRS PEGGY LAM, O.B.E., J.P.

THE HONOURABLE LAU WAH-SUM, O.B.E., J.P.

THE HONOURABLE MOSES CHENG MO-CHI

REV THE HONOURABLE FUNG CHI-WOOD

DR THE HONOURABLE HUANG CHEN-YA

THE HONOURABLE SIMON IP SIK-ON, O.B.E., J.P.

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL

MR RICKY FUNG CHOI-CHEUNG

PURSUANT TO STANDING ORDER 4AA, HIS EXCELLENCY THE GOVERNOR, THE RIGHT HONOURABLE CHRISTOPHER FRANCIS PATTEN, ATTENDED TO ADDRESS THE COUNCIL AND TO RECEIVE QUESTIONS.

PRESIDENT: Would Members please remain standing for the Governor?

CLERK: His Excellency the Governor.

PRESIDENT: The Governor will answer questions on the four topics which have been indicated to Members. A Member who has asked a question may for the purpose of seeking elucidation only ask a short follow-up question. A show of hands please. Mr LEE Cheuk-yan.

MR LEE CHEUK-YAN (in Cantonese): *Mr President, I have a question about residential places for the grown-up severely mentally handicapped. Right now there is still a shortfall of 2 000 places for the grown-up severely mentally handicapped, whereas the normal waiting list for placement has remained static since 1987 — in other words, even if one waits for about eight years a residential place may still not arise. May Mr Governor inform us, how long do parents of the severely mentally handicapped on the waiting list have to wait before they are given a reply as to when they will get residential placement? We really want to know something about the timetable. May I ask until when will the backlog of the waiting list be cleared?*

GOVERNOR: The Honourable Member raises an important question to which, and to the first part of which, the simple answer is that the severely mentally handicapped and their families have already had to wait a great deal too long for residential places. In 1992, we set out a programme for meeting the then targets in the Green Paper on Rehabilitation, targets both for day care places and training places and for residential accommodation. As we made clear in our Progress Report last autumn, for a variety of reasons, which I can go into in detail a little later if the Honourable Member would like, we found it more difficult to deliver places at the rate we promised than we would have wished. By and large, we are going to be able to achieve our targets on day care places. We are having more difficulty with hostel places, and we are having more difficulties for a number of reasons, including the provisional purchase of premises and some hostility in parts of the community to the establishment of residential homes for the severely mentally handicapped.

We are at present looking at ways in which any slippage or any shortfall in the provision of places can be dealt with as rapidly as possible and can be limited to the smallest amount possible. I want to make it clear to the Honourable Member that even though we are having difficulty in achieving that target, I intend to do everything we reasonably can to deliver on the promises that we have made to the mentally handicapped. I know that the parents of the severely mentally handicapped, who are among the real heroes and heroines of this and every other community, have addressed Honourable Members on the subject and have set out some of their anxieties. I am intending to arrange to

meet them myself so I can go through with them precisely what the position is and what we are trying to do in order to cope with the problem, not least by, if we can, expediting the completion of the project in Aberdeen which, I think as the Honourable Member will know, is going to be responsible for a large proportion of the places.

The Honourable Member is also right to say that having met the targets set out in the Green Paper of 1992, we have then got to look at whether there are additional targets and we have to bring forward plans for dealing with those as well. But our immediate priority is to do everything we humanly can to meet the targets that we set in good faith in 1992, and which the parents of the severely mentally handicapped expect us to deliver on.

Mr LEE CHEUK-YAN (in Cantonese): *Mr President, the Governor pledged in his 1992/93 Policy Address that 3 930 residential places would be provided. Just now he said he would try his best to reduce any shortfall, but he did not say what would be the actual number of available residential places in 1997. If the shortfall is to be reduced, what will be the ultimate number of shortfall? If eventually the shortfall remains more than a thousand in number, then it would be like marking time. If the shortfall is to be small in number, at least it would be a good news to the parents of the severely mentally handicapped. In fact, we are worried that at the end of the day there will still be a tremendous shortfall.*

GOVERNOR: First of all, as I think the Honourable Member knows, not all the places in residential homes are for the severely mentally handicapped, but a large proportion of them of course are. Secondly, we are looking at the moment at the shortfall or the likely shortfall. I think none of us regard it as acceptable and we wish to do everything we can to reduce it to the minimum. I want to meet the parents of the severely mentally handicapped so I can go through those figures with them. We will then make clear to the Honourable Member and his colleagues who share his concern about this subject, and I think that speaks for most of the Legislative Council. We will then make clear to them what in our judgement is the irreducible minimum, but we do intend to do everything we can to deliver on these targets.

It is important to see the targets in human terms. If a family is not able to find a place in a hostel, in a home, for a loved one who is severely mentally handicapped, then that means that the family has to cope with an additional and considerable strain for that much longer and I do not think any of us find that acceptable.

So, I want to repeat as strongly as I can to the Honourable Member that we have had problems and they are problems that we identified in the Progress Report last autumn. We are determined to cope with them as energetically as we can and that we will make clear, we will come clean, at the end of the day on

where we are going to fall down on our targets, if we are, and how we intend to minimize any shortfall.

PRESIDENT: Mr HUI Yin-fat.

MR HUI YIN-FAT: *Mr Governor, it so happens that I always ask the same question for some new light, perhaps you can develop some more thinking on that. This is about your pledge in 1992, as has been said by Mr LEE, for severely disabled persons, not only for mentally handicapped persons, on 3 930 additional residential places. However this plan failed to account for the increase in demand over the years. It has been estimated that the demand for residential places for severely disabled persons increased by 130 per year which means that, disregarding the slippage of planned services, there will still be an additional shortfall of around 650 places by 1997. Mr Governor, since it takes time to plan and to implement a service, how would you deal with this slippage and additional need? You have been saying that you have tried your best, but what about the additional need and so forth because the severity is really great?*

GOVERNOR: Well, I will not go over all the ground that I explored in my first answer. I hope the Legislative Council will take our word that we are determined to do everything we can to come as close to meeting the targets that I set out in 1992 as possible. The Honourable Member is quite right to say that those were the targets identified on the basis of present knowledge in the Green Paper on Rehabilitation. We will be issuing a White Paper on Rehabilitation this summer; I hope within the next month or so. When we issue that White Paper, we will have to look at how targets are rolled forward and the implications for future provision and therefore future expenditure patterns.

There have been a couple of problems that we mentioned last autumn in going forward as rapidly as we would have liked. The first which I mentioned in my earlier answer is that not all neighbourhoods have been as positive about receiving the mentally handicapped as I am sure the majority of the community would have liked. I think a now infamous egg which greeted my arrival at a housing estate a few weeks ago was specifically associated with provision for the mentally handicapped in that estate.

At this point, some members of the public displayed two banners and shouted in the public gallery.

PRESIDENT: Order! Order! Take them out! Take them out! Council will be suspended for a few minutes.

PRESIDENT: Council will now resume.

GOVERNOR: As I was saying, we faced two problems in providing the facilities that we want. First of all, there has been hostility in some parts of the community. Secondly, we were not able to purchase or to provide all the premises that we would have liked in housing estates. We are having to look at whether we should purchase more properties ourselves or build more properties ourselves, and we have set aside the capital funds to make that possible. I am afraid that it is not as simple as just making more funds available. We have actually almost doubled the amount of money available in the last couple of years for the rehabilitation of the severely mentally handicapped and we have increased by about HK\$2 billion the total amount available for rehabilitation services as a whole.

The difficulty is not finding the money. The difficulty is spending the money as rapidly and as effectively as we would like, but we are looking at how we can do that. We are looking, as I said, at how we can expedite work in Aberdeen and I can assure the Honourable Member, whose concern about this matter I know well, that we will do everything we can for a group in the community whose needs are well understood by this Council and by others.

PRESIDENT: Dr YEUNG Sum.

DR YEUNG SUM (in Cantonese): *Mr President, the spirit of the existing rehabilitation services is to encourage the mentally handicapped to integrate into the community. A couple of days ago I met with several dozens of elderly people who had come with their mentally handicapped children. They told me as the child centres are scattered apart, sometimes they have to take their children from Kowloon to training centres in Yuen Long or Tuen Mun. Since the children cannot take care of themselves, not even on buses, they as parents have to accompany them to and from the training centres for classes. These people are among the lower income groups, and they therefore have a new request for the Governor's and relevant officials' consideration. They hope the mentally handicapped can also enjoy half fare concession on public transport, in the same way as the elderly. It took us years to fight for half fare public transport concession for the elderly, and therefore it would make things a lot simpler if Mr Governor could just say right now "yes" or "no". May I ask if the Governor will accede to this request and study in details with his officials its feasibility? I hope this can really help the mentally handicapped to integrate into the community. If they are denied such travel allowances, they will encounter great problems both attending classes and joining other activities. May I know if the Government will consider this?*

GOVERNOR: Interestingly, while I have had two summits on the disabled and transport, I do not think that particular issue has been raised at them though other questions have been raised regarding both the cost of transport and the availability of public transport which meets the requirements and needs of the disabled. But we can consider that issue at the next summit we have. On the whole, I think the problems relating to public transport and the disabled are more to do with some of the issues of physical access to both trains and buses than they are to do with cost, and my own instincts are always, if there is a problem of financial need or cost, to try to deal with it through basic welfare benefits rather than to introduce specific schemes which may not always be fair because not everybody will have an equal need of the service which is being subvented. So I am not very much in favour of that progress though I am strongly in favour of us doing more to make public transport easier for the disabled or for those looking after the disabled to use.

DR YEUNG SUM (in Cantonese): *Mr President, I hope the Governor will give serious consideration to this issue instead of simply brushing it aside. A more direct way of doing it is to increase the provision of Rehabus service to transport these children for classes. This will be rather easy as far as the Social Welfare Department is concerned.*

GOVERNOR: We have, as I think the Honourable Member knows, increased the provision of Rehabus, which is a terrific service which does help the disabled in our community. It is one of the steps that I think we should take. We have already done a good deal. I think we can do more. I think that it is important for us to give a greater priority to the disabled in every aspect of our lives and the community's lives. We have been looking at the issue of the disabled in employment as well as the disabled and transport. This Council will of course be considering over the coming weeks the question of discrimination against the disabled and I hope it will put in place a legal infrastructure to deal with that particular issue. So there is a good deal that we can do to make sure that Hong Kong is as fair a place for the disabled as possible.

Can I just add one other point. I would be very happy to discuss that issue of transport needs with the parents of the severely mentally handicapped when I see them.

PRESIDENT: Dr LEONG Che-hung.

DR LEONG CHE-HUNG: *Thank you, Mr President. Mr Governor, I would like to turn to the issue of drug abuse. I am embarrassed to say that there are a few members, and luckily only a few, of my constituency who are black sheep and who have actually been engaging in selling soft drugs. In short, they are really drug peddlers. But unfortunately, current laws in Hong Kong are such*

that it is very difficult and actually rather impossible to incriminate them as such. So at the end of the day, the Medical Council which controls us has to charge them on the lesser charge, such as keeping improper records. Yes, the Medical Council still imposes a heavy penalty on them, such as deregistering them from practising medicine for a long period of time, but unfortunately, when they go to the High Court for appeal, because of the lesser charge or the lesser incrimination, the whole thing could well be quashed and there has been such an example. The end result is that it not only makes a mockery out of the Medical Council, but also allows the "big fish", as it were, to slip out of the net and puts the whole profession in a bit of a problem. I wonder what the Government can do and what the Government is doing towards this direction? I do understand this particular area was not brought up in its entirety at the drugs summit recently.

GOVERNOR: No, it was not. We discussed related issues, for example, the number of inspections which the Health Department is able to make in order to try to ensure that there is no abuse. But this particular issue was not, I think, explored in any depth. We are in the process of trawling through all the individual proposals that were made at that summit and we are intending to do that by sort of mid-summer — by the end of June, and we will certainly look at that proposal as well because the Honourable Member is right, if a serious offence is being committed but there is only a small penalty available for it, then that is rightly a matter of concern to the community and the enforcement of rigorous laws is one aspect, though only one aspect, of our campaign against drug abuse.

PRESIDENT: Dr Conrad LAM.

DR CONRAD LAM (in Cantonese): *Mr President, I would like to express my views and ask the Governor a few questions on the subject of civil servants in the transition period. Mr Governor, the commotion in the public gallery earlier on has, to a certain extent, reflected some of the problems faced by civil servants in the transition period. Why do I say that? For example, regarding certain policies, the current "boss" of our civil servants may tell them to do it in a certain way. But if their future "boss" strongly oppose to do it that way, they would have to tell a different story. I am referring to something quite different from the saying, "the Chinese character" "official has two mouths". Officials are free to say anything but if there are two mouths to tell them what to say, then, they will have no say at all. Returning to the main issue. The public is concerned about the brain drain of experienced civil servants. I would like to ask the Governor what specific measures has been taken to promote the morale of civil servants since he has been in Hong Kong for some years now? Has he encountered any problems especially in the arrangement for the continuity of branch secretaries beyond 1997? If so, what are the problems and how does he solve them?*

GOVERNOR: I am not entirely sure that I accept an analogy between the behaviour in the gallery, which seemed to me to give quite a good argument a bad name, and the position in which civil servants find themselves. While we occasionally have vigorous arguments within the Administration before we come to our unanimous wisdom, the argument is rarely associated with that sort of behaviour. But the Honourable Member raises what I think the whole community regards as a hugely important issue, because the community recognizes that one of the main reasons for Hong Kong's prosperity and decency as a community is the quality of public service in Hong Kong and all of us, therefore, want to retain good civil servants and to do everything we can to boost the morale of our civil servants. I think morale is a slightly intangible commodity, but I suspect that there are two aspects to it.

First of all, we want to ensure that civil servants can go on doing a first-class job; that they go on delivering government in an efficient and cost-effective way. I think our Civil Service have been doing that. They have been delivering more extensive programmes from health and education to housing and others; they have been doing that in a way which meets the performance pledges that we have set out; and they have been doing it in a way which is more open and more accountable and not least to this Legislative Council. People sometimes talk about the challenges which the public service has faced in the last few years because of the growth of representative democracy in Hong Kong. I happen to think that the Civil Service has coped extremely well and that if you look back on the last four years, for example, since this Legislative Council became elected at least in the majority. I think since then you see no dilution in the quality of public service and, I would argue, improvements in the quality of the way services are delivered. So the first thing I want to say is that morale is about delivering high quality services. It is about taking decisions. It is about getting things done. And I just want to make it clear that so far as I am concerned, the best way in which we can secure the morale of the Civil Service is by continuing to take decisions and continuing to govern in the interests of Hong Kong. That we intend to do until 30 June 1997 and I am sure the Chief Executive of the Special Administrative Region will have the same ambition thereafter. So, nowhere sitting on our hands, nowhere sitting back and letting things coast along until the transfer of sovereignty.

Secondly, morale is also about a state of mind. There are anxieties. I do not think that they are anxieties focused on anything that I or we do before 30 June 1997. But inevitably, there are concerns about what comes after that date, such as concerns about pensions. That is why we have proposed to set aside \$7 billion, just in case that should ever be required — not that I believe that it will be. We have proposed common terms for the Civil Service which I hope will be agreed. We have also proposed better housing support for civil servants which I hope will deal with some of their longer-term worries. We have also been implementing far more extensive training, not least in written and spoken Putonghua and so on, so that we will have in due course, I hope, a properly — let me get it right — trilingual and bi-literate Civil Service.

We have also been encouraging greater contacts between the Civil Service in Hong Kong and their opposite numbers in China. There is a regular and steady flow of civil servants in both directions. In the last month, I think we have had five Secretaries from Hong Kong actually in Peking or China; there were times when I think we were more likely to get a quorum for senior officials' meetings in China than in Hong Kong. But I think it is useful to see those contacts continually increased.

What can Chinese officials do to help provide reassurance and help increase confidence? Well, what we should all be trying to do is laid out very specifically in the Joint Declaration and the Basic Law. But we have to behave — not only speak but behave as well — in a way which clearly recognizes our joint commitment to the spirit as well as the letter of the Joint Declaration and the Basic Law. There are opportunities for Chinese officials to do that.

I am told that Director LU Ping is coming to Hong Kong in May for another visit and I unreservedly welcome him. I think we would all like it if he came even more regularly to Hong Kong. I have made it clear to him, once again, that I think we should meet our obligations under the Memorandum of Understanding on the Airport, signed by the Prime Ministers of China and the United Kingdom. He knows perfectly well that whenever he would like to do so, I am available to meet him. I think the community is surprised that that does not happen. They look around the world, they see everywhere officials meeting to discuss difficult arguments whether in Ireland or Bosnia or other trouble spots around the world, and they wonder what it is that sets Chinese officials apart from what officials everywhere else do. But regardless of whether Director LU Ping meets me, we will want to treat him with courtesy and we will want to treat him as positively as possible. And just as I have made it clear that I would be happy to see him, so my Chief Secretary, the Hong Kong Government's Chief Secretary, would be perfectly happy to see him and we have made it clear that she would be happy to see him with a group of her senior Secretaries and colleagues so that they could discuss with him matters of concern to the future of Hong Kong. We have made that proposal and I hope it will meet with a positive response because it is through those sort of contacts, whether formal or informal, that I am sure we can get a better understanding of one another and I hope that Director LU Ping and his colleagues will get a better understanding of what the concerns of the Civil Service in Hong Kong are from time to time.

I do not think that we should exaggerate the problem. The wastage rate in the Civil Service is at present very low, though rather higher in senior ranks of the directorate. Recruitment is good but there are worries about the future and I think it is incumbent on all of us to try to deal with them.

DR CONRAD LAM (in Cantonese): *Mr President, the Governor has, in his reply, mentioned that to promote the morale of the Civil Service, the Government should "continue to take decisions". The Civil Service had decided*

not to respond to the Honourable Miss Christine LOH's motion yesterday. I believe that decision did not help promote their morale. According to my observation, Policy Secretaries are usually eloquent in their replies. However, when the term Communist Party was mentioned, they became either deserters or tongue-tied. Was there an invisible hand, Mr Governor, to cover up the mouths of the Secretaries so that they could not respond yesterday? If so, was it one of your hands, Mr Governor, or was it the hand of the Communist Party or an unknown person?

GOVERNOR: Sometimes the greatest eloquence is silence and I will respond just as one of my senior colleagues and Secretaries responded not yesterday but last week. We have many responsibilities, my colleagues and I, which keep us occupied night and day. Those responsibilities, the Honourable Member will know, do not include on my part or on any of my Secretaries' part, responsibility for the activities of the Communist Party of China. I think that we have quite enough to do answering questions about things for which we are responsible without branching out in the speculative and exotic way in which we are invited to do. I am sure that had anybody spoken yesterday, they would have been as eloquent on the subject under discussion, which seemed to provoke what I think is called euphemistically a lively debate. I think they would have been as eloquent on that subject as they are on every other. But I repeat that sometimes silence is golden.

PRESIDENT: Mr Frederick FUNG.

MR FREDERICK FUNG (in Cantonese): *The Governor said he would be happy to meet Director LU Ping when he comes to Hong Kong. Mr Governor, would you please tell us whether any formal invitation has been given to Director LU Ping to meet each other and discuss matters in relation to the transition of Hong Kong during his visit to Hong Kong? I believe the people of Hong Kong would very much like to see a formal meeting between the Governor and Director LU Ping in Hong Kong. My first question is, whether any formal invitation in writing has been given? If not, when will it be given? If there has been one, or perhaps with no response yet, Mr Governor, have you considered trying other means to bring about a meeting?*

GOVERNOR: I have given two recent formal invitations, though, as I said earlier, I think that Director LU Ping will know that there is a standing invitation whenever he seeks to take it up. But to be absolutely explicit and to relate it directly to Director LU Ping's visit to Hong Kong in the middle of May, we have given two direct invitations, the first of which was in February so that he would have plenty of time to consider it because I know that people's diaries get filled up very quickly. To repeat what I said to the other Honourable Member, I have also made it perfectly clear to Director LU, not only that I will

be available to meet him any time up to midnight on 30 June 1997, and doubtless thereafter though with slightly less relevance to the problems of Hong Kong, and also that the Chief Secretary would be delighted to meet him. He met the Chief Secretary's predecessor on an informal occasion at, I think, Victoria House, and very nice too, and the Chief Secretary has made it plain that she would be delighted to meet Director LU either formally or informally so as to introduce him to some of her senior colleagues in the Administration.

Now, we cannot be more courteous, more constructive, more open-handed than that. And I repeat what I said earlier, I know of no other part of the world where that would not receive an equally courteous response.

PRESIDENT: Mr Eric LI.

MR ERIC LI (in Cantonese): *Mr President, I would like to discuss the work on rehabilitation. Mr Governor has mentioned just now that the fund is available but it is rather difficult to find the place. I wonder if the Governor is aware that staffing is also a serious problem. This problem has led to a drop in morale in some rehabilitation institutions. I am very glad to hear the Governor say that the handicapped should be given adequate opportunity or higher priority. However, in respect of staffing, with a more difficult working environment, the rehabilitation service has to face unfair competition with other services. Take for example the paramedical staff, the rehabilitation service has to compete with the Hospital Authority which offers more favourable terms; as regards child care workers, the service has to compete with the Education Department for the staff; and for other workers, such services also have to compete with other sectors of the social services. In paragraph seven, Chapter 13 of the Green Paper published three years ago, a clear account has been given about this situation and the Green Paper suggested that the Health and Welfare Branch should set up a central co-ordination agency to monitor these staff and their needs, and at the same time put forth recommendations for improvement. However, in the three years that follow, progress seems to be very slow. We have not yet seen any improvement recommendations, neither do we know when the improvement measures would be carried out. Survey on the need for key staff like the physiotherapists, occupational therapists and speech therapists has yet to be conducted. I hope that Mr Governor will look into this problem early so that the staffing problem can be improved as soon as possible.*

GOVERNOR: It is an important issue and an important area but I do not believe that vital as it is. It is the reason for the difficulty that we have had in meeting the targets that we set in 1992. But it is a subject that we will, of course, be addressing in the White Paper on Rehabilitation which, as I said, we hope to publish before the end of May. I say again that if you look at the expenditure which has rightly gone into this area, and which has rightly been endorsed by this Council for rehabilitation, it has risen almost exponentially in the last

couple of years with further increases to come and I do not think that resources or even manpower, important as that is, are the main problem in delivering on these targets. But the Honourable Member is, of course, correct in drawing attention to the need for developing some of the paramedical services that he referred to.

MR ERIC LI (in Cantonese): *I agree with Mr Governor that the problem is not delivering on the future targets. Some rehabilitation institutions have made direct contact with me recently. They pointed out their immediate problem is that they are short of staff even to maintain the existing services because almost all experienced physiotherapists and occupational therapists have transferred to the Hospital Authority. As a result, it is rather difficult just to maintain service at the existing level. I hope that the authorities can contact these institutions early to find out more about the situation.*

GOVERNOR: I can.

PRESIDENT: Mr MAN Sai-cheong.

MR MAN SAI CHEONG (in Cantonese): *Mr President, my question is related to the civil service and the transition. In some countries, language can be a very sensitive and also an emotional issue. In less than 800 days, Hong Kong will become the Special Administrative Region (SAR). May I ask the Governor if there is any positive study on the use of Chinese Language as the channel of communication within the civil service structure, that is within a department and among various departments, as well as between the Administration and the public; whether there is a timetable according to which the two languages can begin to be used freely in the future SAR Government, or whether it has not yet been studied? If the answer is positive, whether we can be informed of the timetable, and whether this issue is planned by the Governor on his own initiative or is handled by the Civil Service Branch?*

GOVERNOR: Well, it is of course a subject which we have been studying, but more importantly we have been acting on it. I think I am right in recalling that there will be about 14 000 civil servants who will be doing, over the next year or so, our Putonghua training and about half that number who will be doing the training in the written language. So, we are beefing up very substantially our language training, just as we are also trying to increase the language training for expatriate administrative officers, for example, improving their working knowledge of Cantonese. They are very important issues. I know the Honourable Member feels very concerned about this particular subject and I can assure him that the Secretary for the Civil Service and all of us give the matter a good deal of thought and are doing all that we can to increase the language skills

of the Civil Service. As I said earlier, what we are looking for, and it is difficult but not unique if you look around the world, is a Civil Service which can manage in three oral languages and can manage in two written languages, and that is quite a challenge.

MR MAN SAI-CHEONG (in Cantonese): *Mr President, what I would like to follow up is simply: What is the target of the Administration? Will the bilingual use of written Chinese and English be continued among the government departments, or will there be a chance for transition from one situation to another in future, that is in the long run, will Chinese language be the only one language used among the government departments in Hong Kong? Has the Administration clearly set a target already?*

GOVERNOR: I think inevitably the Chinese language will be used far more in the Government as we get closer to 1997 and beyond 1997. I think that is inevitable and right. But I think it would be a mistake if in making that progress English language skills suffered a great deal because Hong Kong is an international centre of distinction and one of the ways that is reflected is in our ability to cope in other languages, particularly English. But we intend to do all that we can before 1997 to ensure that the Special Administrative Region government has the civil service that can manage in the two languages written and in the three languages spoken. I would imagine that my successor and his or her senior colleagues would find themselves working for most of the time in Chinese.

PRESIDENT: Mr James TIEN.

MR JAMES TIEN: *Thank you, Mr President. Mr Governor, I have a relatively easy one for you regarding*

GOVERNOR: Those are always the difficult ones. *(Laughter)*

MR JAMES TIEN: *Regarding infrastructure co-ordination with China, and this time not about Container Terminal No. 9 or the Container Port but rather with the Lo Wu crossing every morning. You are aware that Kowloon-Canton Railway trains go through Lo Wu every morning, at every two or three minutes. Right now you might not be aware that there is a long queue every morning between like 8.00 am to 10.00 am on the Hong Kong side and between 5.00 pm to 7.00 pm on the China side. Travellers have to wait roughly between 30 minutes to one hour. The Immigration Department may tell you the queue is only five minutes, which is probably true, but what they might not have told you is that when you get off the train at Lo Wu you have to queue up half an*

hour before you go through the turnstile to put in your train ticket. So you have to get out of that section first before you queue up for the Immigration. As you well know management have to pay for employees' time, even queuing up in the morning. From businesses' view, it will probably cost us a lot of manpower and financially because of all these people waiting and queuing up. So Mr Governor, what do you think could be improved to make some co-ordinated improvement between the Kowloon-Canton Railway Corporation, the Hong Kong Government and the Chinese Government regarding this?

GOVERNOR: It will not surprise the Honourable Member that the problems of Lo Wu and the rail connections between Hong Kong and the People's Republic of China are one of the liveliest subjects on the agenda of the Infrastructure Co-ordinating Committee (ICC) and indeed are one of the reasons why it is important to have a co-ordinating committee on infrastructure projects. One of the four panels which have been set up under the ICC is dealing with rail links and rail connections, and I know that this subject has been discussed in the panel. I am sure that when we come to some decisions that will be welcome to the Honourable Member and welcome to those who as he says are queuing for rather more than five minutes. It is a very, very busy crossing and will get, I guess, even busier. So we need to ensure that there are adequate resources to expedite the passage of people through.

PRESIDENT: Mr Steven POON.

MR STEVEN POON: *Recently, the Government announced the unemployment rate as being 2.8%. By world standards, this is not a terribly high figure, but by Hong Kong standards this is really quite high, as Hong Kong has not experienced such a record figure for some time. Given that Hong Kong is a very small and congested place, and people do not have many places to go, and the very fact that we have not got a very good, or a very sophisticated social security system, the worries are justified in my opinion and the public has raised much concern on this figure. Mr Governor, would you be able to tell us whether you expect this figure to go up in the next 12 months? Is there anything the Government or you yourself and your Secretaries are doing in terms of identifying where the unemployment is actually concentrated in terms of industry sectors or services or restaurants and so on and whether there are any means and measures that you are now planning to use to lower the figure in the foreseeable future?*

GOVERNOR: The Honourable Member is right to say that the figures in Hong Kong, even at the level of just under 3% which he mentioned, are low by international standards. He is equally right to say that the figures recently look high by recent Hong Kong standards. I think the Honourable Member knows that it is only in the last two or three months that the figures have suddenly

jumped and I think the first thing we have to do and the first thing that we are doing is looking at the figures and the background to the figures as searchingly as possible, to see whether what we have got is the beginning of a trend or whether it is merely a blip on the screen. I think when we have got a clearer idea of that in the next month or two, we will have a clearer idea of what we should do in response. Overall, if you look at the likely growth projections for Hong Kong and the consensus of those who make these predictions about our economic outlook over the next year or two, there should not be too much reason for worrying about growing slackness in the labour market and growing unemployment. For example, we will be reaching the peak in some of our construction activity in Hong Kong with implications for employment. But nevertheless, we do need to have a pretty searching look at the figures and if, in the Financial Secretary's judgment and my judgment, we need to take action in a few months' time, then we will not hesitate to do so.

MR STEVEN POON: *Thank you, Mr President. Mr Governor, you touched upon one of the possible suggestions I am going to put forward to you, that is, the very fact that Hong Kong is going to spend tens of billions of dollars in various projects, in particular infrastructure projects. I suggest that maybe some of the effort ought to be channelled into some areas — I will not say what areas as the areas of spending have already been identified — but the money ought to be spent in a way where the local labour force could be best utilized. I do not quite honestly know what I am talking about, but if contracts can be written, for example, that a certain amount of local labour ought to be employed in a construction contract, then maybe it is one way that the Government ought to think about.*

GOVERNOR: The Honourable Member has just made the sort of confession that more of us should make more of the time. We would certainly earn an honesty award were we to do so. I think that it is quite difficult to envisage circumstances in which we could either so change our tendering procedures or so focus our capital spending as to have a direct impact on local employment, without risking a reputation which we have won internationally which, I think, is good for Hong Kong and gives us from time to time the best prices in the international market for having the most open and competitive public procurement policy anywhere.

There is another issue which I suppose is relevant to what the Honourable Member has said and that is a disagreement between the representatives of employers and the trade unions about the effect of the importation of labour and the argument which is put by some trade union representatives that employers do not use the importation of labour scheme in the way that was intended. Now that is an argument which I think we need to have out in the open in the community and try to resolve. It obviously has some bearing on the specific point which the Honourable Member was suggesting as a way of dealing with growing local unemployment if that is happening. But I repeat, we have

seen a couple of months of baddish figures here in Hong Kong and I think we want to be a bit clearer on whether we are seeing the beginning of a trend or whether it is just something short-term. If it is a trend, then we need to act.

PRESIDENT: Mrs Miriam LAU.

MRS MIRIAM LAU: *Mr Governor, I wish to return to the question of services for the mentally handicapped. In your answer to Mr LEE Cheuk-yan earlier on, you mentioned that there is hostility in parts of the community to the establishment of homes for the severely mentally handicapped. What has the Government done to promote the public image of the mentally handicapped, particularly the severely mentally handicapped? It seems to me that the movie "Forrest Gump", which is still on show I think, has done more than the Government in promoting a positive image for the mentally handicapped. And if there is that much resistance from the community, so much so that it is delaying the provision of services, should the Government not be doing more in this area?*

GOVERNOR: Well, I am perfectly content to take second place to Tom HANKS. I must say, having seen the film myself, I am not sure whether it is the hero who is mentally handicapped or the rest of us because he seems to behave in an eminently sane and rational way for much of the film. To be serious, the Honourable Member is entirely right to argue that this problem does need more public education. Of course we are right to follow the lead given by the Honourable Member and introduce legislation to ban discrimination, that is an important part of the educational process. But I think there is a positive aspect to this as well. I have tried, for example, in my programmes of visits, to make sure that I visit as many centres — training centres, day care centres, hostels for the mentally handicapped as possible, and doubtless I could do more and will be able to do more. But there is a role for all of us. I think the health and welfare departments have been taking an active role in this. But frankly, we have some way to travel still in the community; not as far as Forrest Gump ran but certainly some way to travel in order to ensure that the handicapped, not just the mentally handicapped but all handicapped people, all people with a disability, get the fair chance in our society which they deserve.

MRS MIRIAM LAU: *Mr President, will the Governor ensure that when overseas dignitaries such as Princess Diana come around to Hong Kong, arrangements will be made for these dignitaries to not only watch tennis but also to make visits and trips to day care centres and similar institutions?*

GOVERNOR: Well to be fair, which I know the Honourable Member would want to be, Her Royal Highness spent the first morning that she was in Hong Kong with several groups of cancer patients talking to them about their problems and the way they were trying to work together, and then went on to Youth Outreach which is one of the best projects that we have in the community, I think, trying to help young people and take young people off the streets and get them back into their homes, and she spent a good deal of time with them too. She then managed to raise in the course of 36 hours a large amount of money for cancer, for Youth Outreach and for the Red Cross; and, as well, on Sunday saw some of the work that is being doing with drug abusers. So she had what by most standards would have been regarded, I think, as a rather busy weekend. And admirable as it always is to watch Michael CHANG winning a game of tennis, doing so in the temperature of the centre court at Victoria Park on Sunday afternoon was not all a bunch of roses.

PRESIDENT: Mr Albert CHAN.

MR ALBERT CHAN (in Cantonese): *Mr President, the Governor has just talked about the silence of members of the Administration in the Chamber. He has undoubtedly given a new interpretation for "silence is golden". From my point of view, the success of parliamentary democracy hinges on public debates. I believe that if "silence is golden" is a new parliamentary motto, it would mark the beginning of the demise of democratic and parliamentary politics. I do not think the Governor would wish to see that happen.*

My question is about infrastructure co-ordination between China and Hong Kong. When the Government of Hong Kong drew up port development plans in 1989, the development of the harbour and port in South China had not yet been finalized or planned, and the past six years have witnessed a lot of new changes. During a recent discussion with officials of the Planning Department, I found that government departments in Hong Kong usually do not have information on China's planned harbour and port development in South China. I am not sure whether the Chinese side has the information, but the lack of such information would certainly entail a lot of difficulties in planning long-term development for ports and harbours in Hong Kong. Can the Governor tell us whether the Government has any plan to face up to the difficulties and how the Hong Kong Government is going to ensure that the long-term planning of Hong Kong will not make mistakes as a result of a lack of such information?

GOVERNOR: I can assure the Honourable Member on his first point that he will usually find members of the Administration in this Chamber convincingly articulate rather than silent. I am sure that he will find members of the Administration convincingly articulate next week when the Council debates a motion on the Court of Final Appeal, if it does, and just to make the point clear in advance, I hope Honourable Members will not be surprised if we listen very

carefully to what they say in that debate. Some Honourable Members seem to be surprised when we listened to what they said on pensions very carefully. We will be listening very carefully to what Honourable Members say in that debate on a subject which I think is of considerable importance. But we will be replying too, and replying with golden and silver tongues.

Secondly, on port development. We do take account in the decisions we make on developing our port. In the decisions we make on the need for new container terminals, for example, we do take account of the developments that are taking place in Southern China and we could not possibly come to rational decisions about port capacity unless we were to do so. But plainly, the Honourable Member is right to say that the Infrastructure Co-ordination Committee gives us a framework within which to discuss these sort of economic infrastructure issues with those who are responsible for them in Southern China as well. Our economies are intimately linked and bound up inextricably together. To our mutual advantage, that must require us to look constructively at the impact of economic development on our transport and our infrastructure as a whole. So the simple answer to the Honourable Member is yes, we do have to look at what is happening elsewhere in the region and he is quite correct to press us on that. We also have to look more carefully, I think, than we perhaps have, at some of the implications for the storage of containers around our own community which is a consequence of the development of our port.

ADJOURNMENT AND NEXT SITTING

PRESIDENT: In accordance with Standing Orders I now adjourn the Council until 2.30 pm, Wednesday, 3 May 1995.

Adjourned accordingly at twenty-five minutes to Four o'clock.

