

(Translation)

Minutes of the 2nd Meeting of Tsuen Wan District Council (2/2020)

Date: 22 January 2020

Time: 2:30 p.m.

Venue: Main Conference Room, Tsuen Wan District Office

Present:

Mr CHAN Yuen-sum, Sumly (Chairman)

Mr LI Hung-por (Vice Chairman)

Mr MAN Yu-ming, MH

Mr NG Hin-lung, Norris

Mr SHUM Lester

Mr YAU Kam-ping, BBS, MH

Mr YICK Shing-chung, Angus

Mr LAM Sek-tim

Mr CHAN Sung-ip, MH

Ms CHAN Kim-kam

Mr LUK Ling-chung, Antonio

Mr WONG Ka-wa

Mr KOT Siu-yuen

Mr CHIU Yan-loy

Mr LAU Chi-hung

Mr LAU Cheuk-yu

Mr PUN Long-chung, Roy

Mr LAU Jackson

Mr LAI Man-fai

Mr TSE Man-chak

Mr TAM Hoi-pong

In Attendance:

Miss YIP Kam-ching, Jenny, JP	District Officer (Tsuen Wan), Tsuen Wan District Office
Mr CHOW Chun-hun, Gary	Assistant District Officer (Tsuen Wan), Tsuen Wan District Office
Mr KWONG Chi-wing, Denis	Senior Executive Officer (District Management), Tsuen Wan District Office
Ms CHAN Tsz-yee, Emily	Senior Liaison Officer (1), Tsuen Wan District Office
Mr Kerry Paul Lee CAREW	District Commander (Tsuen Wan), Hong Kong Police Force
Mr KO Lok-lam, Ross	Police Community Relations Officer (Tsuen Wan), Hong Kong Police Force
Ms MA Sau-ching, Annisa	District Social Welfare Officer (Tsuen Wan/Kwai Tsing), Social Welfare Department

Miss LO Pui-yiu, Sapphire	District Lands Officer (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Ms CHENG Yick-sze	Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing) (Acting), Lands Department
Ms LUI Hiu-fai, Monica	Chief Transport Officer/NT South West, Transport Department
Mrs TANG FUNG Shuk-yin	Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan), Housing Department
Mr KUAN Man-hou	District Environmental Hygiene Superintendent (Tsuen Wan), Food and Environmental Hygiene Department
Mr CHAN Kwok-hung	Chief Health Inspector (Tsuen Wan)1, Food and Environmental Hygiene Department
Mr CHU Wai-lun, Thomas	Chief Engineer/West 2 (Acting), Civil Engineering and Development Department
Ms LIM Ting-ting, Sylvia	Chief Leisure Manager (New Territories West), Leisure and Cultural Services Department
Mr CHENG Kwok-kuen, Chris	District Leisure Manager (Tsuen Wan), Leisure and Cultural Services Department
Miss LAM Siu-yung, Daisy (Secretary)	Senior Executive Officer (District Council), Tsuen Wan District Office
Mr LAU Shun-tak, Donald	Executive Officer I (District Council), Tsuen Wan District Office
 <u>For discussion of item 1:</u>	
Mr TANG Ping-keung, PDSM	Commissioner of Police, Hong Kong Police Force
 <u>For discussion of item 8:</u>	
Ms WONG Fan-ni, Jasmine	Senior Manager (New Territories South) Promotion, Leisure and Cultural Services Department
Ms CHU Ching-han, Heidi	Chief Manager (Festivals and Audience Development), Leisure and Cultural Services Department
Ms WONG Kit-yi, Pat	Senior Manager (Community Programmes), Leisure and Cultural Services Department
 <u>For discussion of item 9:</u>	
Ms TSE Ka-yee, Carmen	Senior Librarian (Tsuen Wan), Leisure and Cultural Services Department
 <u>For discussion of item 16:</u>	
Mr LAI Henry	Assistant Secretary (Harbour)1, Development Bureau
Mr LAM Sam-ching, Joe	Senior Project Manager 337, Architectural Services Department
Mr CHUNG Pui-shun, Chris	Project Manager 382, Architectural Services Department

For discussion of item 18:

Mr CHAN Yiu-chung, Jacky Assistant Public Relations Manager – External Affairs,
Mass Transit Railway Corporation Limited

I Opening Remarks and Introduction

The Chairman welcomed Members and representatives from government departments to the 2nd meeting of the Tsuen Wan District Council (TWDC).

2. The Chairman reminded Members to speak as concise as possible because there were many items on the agenda. In addition, unless otherwise agreed by the Chairman, Members could speak once for each agenda item at the meeting and each Member could speak up to three minutes.

3. The Chairman reminded that the persons sitting in on the meeting in the public gallery should keep quiet and refrain from speaking. If a person attending or sitting in on a meeting of the Council misbehaved in such a way as to disrupt the orderly conduct of the meeting, the Chairman might issue warnings to the person or order the person to leave the place of the meeting without prior warning.

II Item 1: Visit of Commissioner of Police to Tsuen Wan District Council

4. The Chairman stated that Mr TANG Ping-keung, the Commissioner of Police of the Hong Kong Police Force (HKPF) visited the TWDC and introduced the work of the HKPF to Members. The other representatives from the HKPF attending the meeting were:

- (1) Mr Kerry Paul Lee CAREW, District Commander (Tsuen Wan); and
- (2) Mr KO Lok-lam, Ross, Police Community Relations Officer (Tsuen Wan).

5. The Chairman stated that each Member could speak up to 4 minutes.

6. Mr SHUM Lester, Ms CHAN Kim-kam, Mr LAU Chi-hung, Mr PUN Long-chung, Roy, Mr LAU Jackson and Mr TSE Man-chak requested to play a video clip before the Commissioner of Police gave his speech. They agreed to deduct their respective speaking time accordingly. The Chairman acceded to the request.

7. As there were individuals in the public gallery who disrupted the orderly conduct of the meeting, the Chairman warned the persons sitting in on the meeting of the Council against disrupting the order of the meeting. He reminded that the persons sitting in on the meeting in the public gallery should keep quiet and refrain from speaking. He also reiterated that if a person sitting in on a meeting of the Council misbehaved in such a way as to disrupt the orderly conduct of the meeting, he might order the person to leave the place of the meeting without prior warning.

8. The Commissioner of Police introduced the work of the HKPF.

9. The Chairman asked the security guards to accompany the persons who disrupted the orderly conduct of the meeting to leave the place of the meeting. He also asked Members to keep quiet.

10. Mr MAN Yu-ming welcomed the Commissioner of Police who visited the TWDC. He hoped that the Commissioner of Police would humbly listen to the views of residents and Members. He opined that the attendees should respect the rules of meeting; in particular, Members should not shout at the meeting. He hoped that the Chairman would pay attention to this. He also pointed out that his constituency, Shek Wai Kok, mainly consisted of elder persons. Many elder persons had joined Senior Police Call, which could effectively foster harmony in the community, neighbourhood relationship and the rule of law as well as preventing crime. He believed that if the communication between the members of Senior Police Call and Junior Police Call was enhanced, it would achieve cross-generation harmony and facilitate social cohesion and crime prevention. Hence, he hoped that the Commissioner of Police would allocate resources to Tsuen Wan Police Station accordingly. Besides, criminal damages resulted from a number of social incidents since June 2019. The vandalism of some traffic lights and railings did not only cause inconvenience to older pedestrians, but also posed safety risks to them. While noting that the Police had limited enforcement manpower, he often learnt from news reports that the Police made no arrest albeit the vandalism of traffic lights. He hoped that the Police would early deter the people in question from vandalising the public facilities which would threaten the public safety if damaged. In his opinion, it was the Chinese tradition that even when two camps were in confrontation, they would not execute the envoys. However, he learnt from news reports that during the assembly held in Chater Garden last Sunday, several police officers responsible for liaison with the organiser of the assembly were assaulted by some masked people after entering Chater Garden. Some of the masked people had bricks in their hands. The conflict ceased upon the arrival of anti-riot police officers. As those police officers were unarmed, he did not understand why an assault was launched on them and expressed anger over it. Moreover, he opined that such violent acts should be condemned. He enquired how the Police assured the safety of frontline police officers when they took law enforcement actions in emergencies and mass gatherings. He hoped that the Commissioner of Police would give further consideration to it.

11. Mr NG Hin-lung, Norris said that since June 2019, the people of Hong Kong had lingering doubts as to whether the city's core values to which they adhered still existed, including the freedom, human rights, rule of law and impartial law enforcement agencies. Over the past few months, it was shown in many media footages that after being subdued, the protestors were still battered by police officers with batons and suffered from head injuries. Citing the media footage taken at Tai Po Market Station on 7 September 2019 as an example, the public did not understand why the Police stormed into the station and beat up a man with no intent to attack. He found in other incidents that the police officers pressed the protestors onto the ground by kneeling on their bodies and heads while some subdued protestors were dragged along the ground at a high speed. He pointed out the presumption of innocence that an arrested person was considered innocent before the court handed down the judgment. Extrajudicial punishment should never be resorted to. Also, he enquired whether the police officers respected the human rights and rule of law

when taking law enforcement actions. The police officers hotly pursued the protestors once spotted without ascertaining whether the protestors had broken the law. He enquired how the Commissioner of Police would follow up the aforesaid situation in order to give an explanation to the public. Moreover, he met the District Commander (Tsuen Wan) on 26 September 2019 to follow up on the investigation progress of the slashing case in Tsuen Wan on 5 August 2019. According to the District Commander (Tsuen Wan) back then, the case was still under investigation. While several months had passed, no progress had been made so far. He thus enquired whether the suspect was arrested and charged; whether there were triad societies in the vicinity of Tsuen Wan; and how the Police assured the public safety in Tsuen Wan. Furthermore, in response to district councillors' questions at the meeting of the Central & Western District Council (C&W DC) last week, the Commissioner of Police acknowledged that the police officers should display their warrant cards where practicable and it was an improper act of the police officers who covered their unique identification numbers or operational call signs. In fact, the general public learnt from media footages that the police officers failed to act in line with the regulations concerned. He questioned whether a person incapable of properly managing the subordinates was qualified for the Commissioner of Police. He also enquired the Commissioner of Police of the ways for rectifying the order of the Police.

12. Mr SHUM Lester was pleased to note that the Commissioner of Police had mentioned the rule of law in his speech. He held that the law of rule comprised of three core elements. Firstly, it was the system of checks and balances on the public powers, i.e. the surveillance of the use of powers by the executive authorities. Secondly, no person was above the legal system of Hong Kong. Thirdly, the civic rights should be safeguarded. He enquired whether the Commissioner of Police was aware that the legal system of Hong Kong differed from that of the Mainland. The Commissioner of Police pointed out that the rioters would be arrested, brought to the court and even sentenced to imprisonment. So far, 1 100 persons had been prosecuted. He enquired about the number of police officers who were arrested and prosecuted due to violation of the law of Hong Kong since the incident of opposition to the proposed legislative amendments. He believed that only one police officer was arrested for posting materials on Lennon Wall. He opined that there were two legal systems in our society at present, which targeted at the people striving for democracy and the police officers respectively. It could be seen from the video clip earlier that nobody was held accountable or had to face legal sanction for certain intolerable acts of police brutality. The public lost confidence in the police officers starting from 21 July 2019. It was because the police officers left the scene when members of the public were assaulted by white-clad men. He enquired whether the Commissioner of Police had punished the police officers concerned after taking up his office. However, no police officer was penalised up till present. He opined that it was misconduct in public office. Moreover, he learnt from the biography of the Commissioner of Police that when serving as the District Commander (Yuen Long), he was closely related to quite a number of powerful persons in the community. It shed light on why only six persons were brought to the court whereas no police officer was prosecuted since "the 721 incident". In addition, he was concerned about whether the rights of Hong Kong people were under protection and how to assure that the police officers would respect the human rights when performing duties on the

front line. The Commissioner of Police had received trainings at the China Executive Leadership Academy in Pudong, Shanghai, the Chinese People's Public Security University, Beijing and the Party School of the Central Committee of Communist Party of China. Hence, he enquired whether the Commissioner of Police acquired the practice of the Mainland by osmosis and adopted it to deal with Hong Kong people. He opined that although the Commissioner of Police firmly believed that he and the Hong Kong Police were on the side of justice, there was huge discrepancy between the "justice" as illustrated by them and the "justice" as expected by the public from the Police.

13. Mr YAU Kam-ping welcomed the Commissioner of Police who visited the TWDC. Many people and villagers relayed to him that they appreciated the Police for its dedication to upholding the rule of law, maintaining law and order and safeguarding life and property over the past few months. The society was awash with misinformation nowadays, e.g. there were allegations that a rioter who participated in demonstration was raped by police officers and some people were killed at Price Edward MTR Station. These allegations were outrageous. Recently, the demonstrations and unrest recurred sporadically after the District Council (DC) election. He hoped that under the leadership of the Commissioner of Police, the Police would enhance the law enforcement, uphold the rule of law, and stop violence and curb disorder.

14. Mr YICK Shing-chung, Angus wished to lodge complaint on the alleged cases of the Police letting the suspects go and question the Commissioner of Police accordingly. He used to work as a councillor assistant to a district councillor whose banner displayed in the district was vandalised. On 21 July 2019, he reported the case to the Police and gave a statement until around 11:45 p.m. After he left Tsuen Wan Police Station, some residents relayed to him that a group of white-clad thugs attacked members of the public in Yuen Long West Rail Station. There were online rumours that the white-clad thugs had arrived at Tsuen Wan West Station. Hence, he rushed back to the office, took a loud hailer with him and immediately headed to Tsuen Wan West Station to provide assistance. At about 12:05 a.m., he arrived at Tsuen Wan West Station and the passengers could only learn from the station announcement that the trains would not stop at Yuen Long Station due to an incident, but the details of the incident in Yuen Long were not given. He negotiated with the Station Officer of Tsuen Wan West Station and requested for postponing all departures, so that the informed passengers onboard could notify others of the incident and they could choose to get off the train early. When he left Tsuen Wan West Station after the last departure of train service at 1:30 a.m., the Police still had not issued any official updates to the Mass Transit Railway Corporation Limited (MTRCL). Moreover, on 5 August 2019, after the slashing case happened in Yi Pei Square, he headed to Tai Hung Fai (Tsuen Wan) Centre to learn about the incident after 11:00 p.m. or so. At that time, several Emergency Unit vehicles of the Police had already arrived at the scene. The residents at the scene had also indicated to the Police the direction to which the assaulter had fled. However, the Police did not launch investigation according to the clues given by the residents; instead, they headed to Citywalk in the opposite direction. After learning of the situation, he returned to the scene at about 11:30 p.m. and asked the Police to conduct investigation. However, the Police replied that police officers would be arranged to

carry out patrol and then left the scene. He could not find any police officers on patrol or conducting investigation and making arrest after all bystanders left the scene at 1:00 a.m. Later on, he learnt from other Members that according to the Police, they were unable to take follow-up actions on the incident happened on 5 August 2019 because nobody reported the incident or provided information subsequently. He thus enquired about where the Police had gone when the said incident occurred.

15. Mr LAM Sek-tim enquired the Police about the details of investigation of the slashing case in Tsuen Wan; whether the Police had arrested the suspect; when the suspect would be brought to the court for trial; and whether the Member's earlier claim on the failure of the Police to follow up on the case due to the lack of information was a matter of fact. He opined that the Police should promptly investigate the case concerned in order to ease the mind of the residents of Tsuen Wan. Many members of the public asked him why the Police did not take law enforcement actions when the triads tried to kill people. If the protestors were absent that day, he believed that the victim of the slashing case would have passed away instead of sustaining injuries. On 5 August 2019, a member of the public was slashed. When the ambulance arrived at the scene to rescue the injured person, the police officers neither arrested the suspect nor collected evidence at the scene. Besides, on the night of the Yuen Long incident, the public had continuously provided clues to the police officers at the scene but they turned a deaf ear to them. Worse still, although the police officers had brushed past the white-clad thugs, they did not stop and search the white-clad thugs and make arrests. He thus enquired why a group of police supporters with knives and poles were protected by police officers after threatening and assaulting members of the public who expressed views peacefully; on the contrary, the masked people dressed in black who walked along the street were stopped and searched by police officers. He enquired whether Hong Kong Police, alike the National People's Congress, had the interpretive and legislative powers. In his opinion, the police officers broke the law deliberately and failed to act in accordance with the law. It was only a matter of time before the police officers were brought to the court for trial.

16. The Commissioner of Police responded as follows:

- (1) the HKPF would proactively consider the views on Senior Police Call and Junior Police Call;
- (2) the HKPF would endeavour to take law enforcement actions against the criminal damage of traffic lights. Apart from the law enforcement, the HKPF hoped that DC Members and members of the local community would condemn the violent acts concerned. So, the people in question would realise that the violent acts did not gain support and stop doing so;
- (3) the HKPF thanked the Member for his concern for the police officers who sustained injuries in the operation on Sunday. The HKPF would enhance the protection for police officers. The situation showed that even though police officers were constantly exposed to dangers, they would not shrink from performing duties merely because of dangers;
- (4) the police officers fully respected the human rights, freedom and rule of law. He also agreed that no person should resort to extrajudicial punishment;

- (5) at the Ceremonial Opening of the Legal Year 2020 two weeks ago, the Chief Justice of the Court of Final Appeal, the Secretary for Justice, the Chairman of the Bar and the President of the Law Society stated that regardless of the underlying intent or belief, the violent acts were improper acts. The Police should duly take the law enforcement actions;
- (6) it was shown in the video clip played by the Members earlier that the police officers aimed to control the situations by pressing the heads of the persons under arrest onto the ground or using batons. They used appropriate force to subdue the persons under arrest according to the actual circumstances;
- (7) the police officers could make arrest when they had reasonable grounds for suspecting that a person had broken the law. The presumption of innocence was a separate concept in which the court determined whether the accused person was guilty;
- (8) the slashing case on 5 August 2019 was still under investigation and no arrest had been made so far;
- (9) the Police had all along been adopting a holistic approach against the triad societies and definitely spared no effort to combat any triad-related crimes;
- (10) the police officers should display their warrant cards, unique identification numbers or operational call signs where practicable. It was an improper act of the police officers who refused to display their warrant cards, unique identification numbers or operational call signs without reasons. The HKPF was currently undergoing the disciplinary reviews on the respective accusations;
- (11) under One Country, Two Systems, Hong Kong had its own legal system and the Mainland had its own legal system;
- (12) up till present, one police officer had been arrested and interdicted from duty due to violation of the laws of Hong Kong. The case had not yet reached the stage of prosecution;
- (13) he agreed that there was only one legal system in Hong Kong. All police officers and members of the public should abide by it. If there was evidence, any person who broke the law would be arrested;
- (14) he expressed regret over the Member's groundless accusation that the Police colluded with the white-clad men. The Police would conduct investigation of the unlawful acts regardless of the attire and background of the persons involved in the case;
- (15) he expressed regret over the Member's accusation that he was closely related to a person with triad background in Yuen Long. He had time and again explained that he and the triad societies were irreconcilable enemies. The person mentioned by the Member was a district councillor. As a representative of government department, he only maintained regular liaison with a district councillor;
- (16) he had received several weeks of training at the China Executive Leadership Academy in Pudong, Shanghai and the Chinese Academy of Governance, Beijing. Also, he had received one-year training at the Royal College of Defence Studies, London and four-month training at the Federal Bureau of Investigation National Academy, Quantico. However, in fact, there was also no special connection between him

and these two countries. He hoped that Members would not over-emphasise his trainings in the Mainland;

- (17) he would categorise the incidents as relayed by Members into complaints for processing. He also pointed out that the field commanders would make appropriate deployment according to the actual situation at the crime scene. He shared the views with Members that the persons in question were white-clad thugs. He further pointed out that the use of violence, slashing and use of weapons were improper acts which should be deterred, regardless of the attire or appearance of the persons in question; and
- (18) the slashing case in Tsuen Wan was still under investigation and no arrest had been made so far. He was unclear about the identity of the district councillor mentioned by the Member earlier. The Member could ask that person to contact the Police. He could not disclose the direction and details of the investigation conducted by the HKPF at the meeting. The HKPF would equally make every effort to conduct investigation of the case concerned, alike the cases which occurred on 11 and 13 November 2019.

17. The Commissioner of Police asked the Chairman to allocate an appropriate amount of time for him to give response after each Member concluded his or her speech. He opined that this meeting served as a platform for him to exchange views with Members. His attendance would be meaningless if only Members' remarks were aired.

18. The Chairman hoped that Members would each have four-minute speaking time. Hence, he adhered to the original decision and asked the Commissioner of Police to give response during the remaining speaking time of Members.

19. Mr CHAN Sung-ip welcomed the Commissioner of Police who visited the TWDC. He strongly supported and commended the frontline police officers who had been working dutifully over the past few months.

20. Ms CHAN Kim-kam displayed a photo and asked the Commissioner of Police to comment on the state of mind of the child and the emotional state of the uniformed police officer in the photo. She said some Members thought that the police officer appeared to be excited in the photo. She pointed out that the incident shown in the photo was not a single incident. After firing tear gas canisters and live rounds, the police officers had a spontaneously amused and excited look on their faces. She questioned the mental state of police officers who performed official duties on the front line and enquired the Commissioner of Police whether police brutality had already emerged. All long, the senior management of the Police had been conveying an erroneous message to the frontline police officers, i.e. they should use minimum force to take law enforcement actions in the protests. However, the Police had never defined the "minimum force". She enquired why a police officer dashed towards and pepper-sprayed a person who was only chanting slogans on the roadside; and a subdued protestor was dragged along the ground by a police officer. In her opinion, the out-of-control acts of these frontline police officers reflected that they were not qualified for bearing lethal arms because of their mental state. She said the Commissioner of Police had confidently stated that he had duly performed his

duties. She thus enquired whether the Commissioner of Police was confident that he could keep the mental state and behaviour of his subordinates in check on the front line.

21. Mr LUK Ling-chung, Antonio said that an elder person asked him to raise an enquiry to the Commissioner of Police on his behalf. The elder person would like to know the feelings of the Commissioner of Police over a senior citizen in his sixties who sustained head injuries after being beaten up by an anti-riot police officer. He also displayed a photo and asked the Commissioner of Police to identify the person in the photo. He added that the person in the photo was Ernst Kaltenbrunner, Inspector General of Criminal Investigation, who was found guilty of crimes against humanity at the Nürnberg trials held after World War II and hung on 16 October 1946. He reminded the police officers concerned that they might be brought to the similar trial one day. Moreover, he pointed out that when he was preparing to set up a street counter at Sha Tsui Road during the DC election period in November 2019, some anti-riot police officers came over to disperse and verbally threaten him. As a candidate for the DC election, he was allowed to set up a street counter according to the guidelines of DC election. The anti-riot police officers failed to act in line with the said guidelines. He hoped that the Commissioner of Police would supervise his subordinates and request them to observe the regulations concerned. In addition, he hoped that the police officers would make additional efforts to tackle the traffic problems in Tsuen Wan, e.g. the illegal road racing in the small hours around City Point and H Cube, the “dead” motorcycles and private cars, as well as illegal parking and double parking in Tsuen Wan district, instead of indiscriminately beating up young people or asking him to dial 999 to report the matters himself. He pointed out that a student sustained gunshot injury at Tai Ho Road on 1 October 2019. He enquired whether the police officer suspected of planting evidence and the police officer who instructed him to do so were interdicted from duty or subject to disciplinary proceedings.

22. Mr WONG Ka-wa read out a letter that “I am a police officer and my original passion for joining the Force remained unchanged. I totally disagree with the way Commissioner Tang and the senior management of the Police handle the social incidents over the past six months. The unarmed people of Hong Kong are battered and pepper-sprayed. The Force at present is alien to me.” He said that the police officers would travel to other countries during vacation. He hoped that they would not be refused entry to other countries due to performing duties as police officers. He also pointed out that in the evening on 8 January 2020, about 40 to 50 people appeared in Lei Muk Shue Estate and attacked the residents with iron poles, sharp weapons and extendable batons. He referred to this incident as “the 18 Lei Muk Shue Incident”. More than three police vehicles arrived at the scene for the incident subsequently. Upon separating the two parties, the Police arrested a young person with a bottle of spray paint in his bag but not the people wielding offensive weapons. Worse still, he learnt from the photos taken by the media workers and residents that back then, the Police escorted the people in question to leave the scene by vehicles. He noted that some police officers were equipped with mobile cameras. He enquired whether the Police had stopped and searched or arrested any person who attacked and threatened the residents of Lei Muk Shue Estate with offensive weapons on 8 January 2020. He said the incident was covered by the media. As such, he did

not believe that the Police did not notice the people wielding offensive weapons at the scene and enquired the Police of the definition of “offensive weapons”. Besides, the Police even interfered in the posting of paper on the wall by some young people. He opined that the situation should be handled by the Food and Environmental Hygiene Department (FEHD) or the staff responsible for basic management in the area instead of the Police.

23. The Commissioner of Police responded as follows:
- (1) he thanked the Member for his commendation;
 - (2) the judgement made with reference to one single photo could be highly fallible. He was unclear about the emotional state of the police officer concerned;
 - (3) the Police should take actions based on the evidence. He opined that regarding the elder person mentioned by the Member, the acts done by this elder person before the Police’s arrest should be firstly ascertained;
 - (4) although the Member had not accounted for what happened before and after the incident concerned, the Police would categorise the incident into complaint for investigation;
 - (5) the HKPF disagreed with the Member on the accusation that the police officers beat up the young people randomly. The traffic issues raised by the Member would be handled by the District Commander (Tsuen Wan);
 - (6) the HKPF had time and again clarified the case on 1 October 2019 that the Police had collected all the exhibits and the footages were self-explanatory. The HKPF had arrested two persons, including the gunshot injured person, who were charged with rioting and assaulting police officer. The HKPF did not plant evidence;
 - (7) Members should make accusations based on solid evidence. The police officers could take a break when the rioters stopped the violent acts; and
 - (8) regarding the incident happened on 8 January 2020 in Lei Muk Shue, the police officers found that about 100 people gathered and skirmished at the scene but no offensive weapons mentioned by the Member were detected. Only some tools for clearing the Lennon Wall were identified and these tools were not offensive weapons. As there was no evidence of crimes, the Police left after recording the information. Any person with further information or evidence could contact the Police at any time.

24. The Chairman said that according to Members, the police officers continued to kick or use batons to hit some arrested persons who were pressed onto the ground and unable to resist. He held that it was utterly unacceptable. Besides, he found that some people holding iron spades and objects resembling extendable batons or electric drills at the scene were captured in many photos of the Lei Muk Shue incident. He would provide the HKPF with the relevant information for follow-up in due course.

25. Mr KOT Siu-yuen welcomed the Commissioner of Police who visited the TWDC. The crime figure of Tsuen Wan continued to decline. It was a brilliant achievement with such a high detection rate. The Tsuen Wan District Fight Crime

Committee had jointly implemented a series of schemes with the local organisations including the Project Amulet in 2019, through which assistance was provided to the single-block buildings in installing closed circuit televisions for enhancement of security and order. In the past six months, the Police had made deployment of manpower from time to time. As there were illegal parking and illegal road racing in Tsuen Wan and the problem of prostitution around Yeung Uk Road, he hoped that the HKPF would take follow-up actions. Moreover, as a district councillor whose constituency area was located in the town centre of Tsuen Wan, he was worried about the issue of tear gas. Tsuen Wan district had a history of sixty years. The residents moved into Fok Loi Estate more than 50 years ago and many residents were elder persons. Also, there were a number of schools nearby. The Police had fired tear gas canisters in the area concerned in response to some incidents last year and he had received enquiries from many schools. He had also discussed with the schools and FEHD the ways of handling the issue and conducting cleansing. However, he believed that many people were unclear about the impact on human body of tear gas. He hoped that the Commissioner of Police would give an explanation. In addition, he pointed out that the vandalism of his office on 5 October 2019 was broadcast live. About 20 rioters arrived at his office. More than ten of them broke into and vandalised the office. Some properties therein were stolen. After learning of the situation, he had promptly returned to his office and felt frustrated with what happened inside. Fortunately, the rioters had left at that time; otherwise, the consequences would be dire. He learnt that at present, the rioters were capable of making pistols and bombs. He worried about the safety of district councillors and the public. He was also concerned about how the frontline police officers should respond to the attack of rioters in future. He hoped that the Commissioner of Police would give response accordingly.

26. Mr CHIU Yan-loy said that the level of confidence of Hong Kong people in the Police had plummeted since “the 721 incident”. On 23 July 2019, there was hearsay that white-clad thugs would assault the general public in Tsuen Wan and many shops were closed in the afternoon. The district became a deserted place in the evening because the public were worried about their personal safety. A slashing case occurred later at Yi Pei Square on 5 August 2019 and no arrest had been made so far. More residents of Tsuen Wan had lost confidence in the Police. On 5 August 2019, he had informed the first arriving police officer of the direction where the white-clad thug fled to the hideout. However, the police officer turned away and left the scene. Besides, the public witnessed the Police making indiscriminate arrests on television. Capitalising on the facial covering, the police officers acted rampantly because they would not be identified and subjected to legal sanction. No matter it was “the 831 incident” or the alleged rape case at Tsuen Wan Police Station, he and the public tended to believe that the “black cops” did such acts. Moreover, on a day before the polling day of the DC election, he was assaulted by a “blue ribbon” mob and was taken a statement afterwards. After arriving at the scene to handle the incident, one of the police officers was attacked by the “blue ribbon” mob. The police officer sustained hand injuries and was hospitalised. Although nearly two months had passed since the incident, no progress on investigation of the case had been made or no prosecution was instituted after the arrest of the “blue ribbon” mob in question. He thus enquired how the Police would handle this case.

27. Mr LAU Chi-hung said that recently, one of the “Three Kings of Thieves” was released from prison. The violent criminal was the first against whom a red notice was issued in the history of Hong Kong. The criminal had been engaged in gun-running, committed several armed robberies in Hong Kong and fired shots on the streets. Some people were even killed by gunshot. He showed a photo of this criminal under arrest back then. He enquired the Commissioner of Police whether the police officers had hit the head and forcibly knelt on the neck and back of the criminal during the arrest that day. He believed that the police officers had not done so. It could be seen from the photo that the criminal was neatly dressed and the surrounding police officers arrested the criminal in a gentle manner. He enquired whether the violent criminal had fully complemented the arrest as stated by the Commissioner of Police; whether the use of force by the Police to arrest the violent criminal back then was incomparable to that by the Police to arrest unarmed people at present; and whether the Police held that the general public and young people were more intimidating than the violent criminal. Recently, the Washington Post had published a research study on 65 police enforcement incidents conducted by international experts in policing. It concluded that 70% of the incidents were found in violation of the laws and regulations. He enquired whether the Commissioner of Police held that the international experts in policing smeared Hong Kong Police en masse; or the Police had all along been lying to cover up the fact that their mode of law enforcement was beyond the powers vested by the legislation. Also, he enquired the Commissioner of Police of the definition of the “minimum force”.

28. The Commissioner of Police responded as follows:

- (1) he disagreed with the remarks of the Chairman. Even after the police officers pressed the arrested persons onto the ground, it could not guarantee that they were fully subdued. The arrested persons often struggled and escaped after being pinned down;
- (2) the District Commander (Tsuen Wan) would make continued efforts to tackle the traffic and prostitution problems in the district;
- (3) the HKPF condemned all violent incidents and would take follow-up actions. He also hoped that all Members would condemn the violent incidents, especially those targeted at district councillors;
- (4) tear gas was mainly composed of 2-chlorobenzalmalononitrile which, in fact, had been adopted worldwide such as the United States, France, Chile, Belgium and Italy for over one hundred years. According to medical literature and various open information, the inhale of tear gas mainly caused short-term irritation symptoms without permanent harm on human body. The HKPF also did not wish to use tear gas canisters. The HKPF would only use tear gas canisters when there was no alternative, such as creating safe distance or making arrests or dispersal. Since 5 January 2020, the HKPF only used tear gas canisters once at Chater Garden on 19 January 2020. The use of tear gas canisters had been greatly reduced at present. The public could notice that when the violence of rioters subsided, there was no need for the HKPF to use appropriate force and tear gas canisters. The HKPF also did not wish to use other types of force. The most ideal situation was that the public staged lawful assembly and procession, and the HKPF would provide assistance accordingly. The HKPF was forced to take actions when people did violent acts during the assembly or procession;

- (5) he disagreed with the Members' allegations that the police officers would not be subject to legal sanction and they wilfully hit the heads of the arrested persons. Only factual claims were acceptable. He felt amazed that the Members still believed in the alleged rape case at Tsuen Wan Police Station because the HKPF had time and again made clarification on the fake news and misinformation;
- (6) the HKPF had arrested 7 000 people so far and investigation should be duly conducted for each case. More than 1 000 people were prosecuted for the time being. The HKPF would only provide the informant or victim with the case details. The HKPF would provide the DC Member, who was the victim, with the latest updates on the case;
- (7) as the Independent Police Complaints Council (IPCC) was investigating "the 721 incident", the HKPF should refrain from making comments. However, he should point out that the two police officers concerned, upon making assessment on the situation at the scene, considered that there were life-threatening risks. Hence, they handled the situation after waiting for the arrival of reinforcement police officers. It could prevent the recurrence of the situation at Chater Garden last Sunday where the police officers were assaulted by several persons and sustained head injuries;
- (8) he had been engaged in the case of the violent criminal concerned. The criminal did not resist after arrest. However, currently, the police officers might be assaulted by the rioters under arrest with bricks and suffered from head injuries. He disagreed with the Members on the claim that the rioters were unarmed. The rioters had actually used hammers, spanners and petrol bombs as weapons; and
- (9) the HKPF had contacted the Washington Post, whose reply was pending, for reviewing some of the cases in the news coverage concerned.

29. As chaos broke out in the public gallery, the Chairman requested the persons who disrupted the orderly conduct of the meeting to leave the place of the meeting.

30. The Commissioner of Police enquired whether the filming of the persons sitting in on the meeting violated the privacy legislation and sought ruling from the Chairman.

(Note: The individuals sitting in on the meeting complained that the journalists beat up people.)

31. The Chairman requested the persons who shouted and held up banners to leave the place of the meeting, in order to prevent disruption to the orderly conduct of the meeting.

(Note: The Chairman maintained order in the Main Conference Room.)

32. The Chairman asked the persons sitting in on the meeting to abide by the rules of the TWDC that they should not shout or hold up banners during the course of the meeting. Otherwise, he might order the person who disrupted the orderly conduct of the meeting to leave the place of the meeting without prior warning.

33. Mr LAU Cheuk-yu thanked the Commissioner of Police for visiting the TWDC. He hoped that the representatives of the Police Public Relations Branch would propose ways to resolve the incidents rather than staging public relations shows at the TWDC meetings. He pointed out that he had set up a street counter last Friday where his secondary school teacher aged more than 80 wrote Spring Festival couplets for the public. When the activity was drawing to a close, 30 anti-riot police officers suddenly dashed towards his street counter for rounding up and arresting a person with offensive weapon. He requested to meet the commander at the scene and an inspector responded that he would meet him in due course. He had been retreating at the scene. Eventually, a sergeant filmed him and other bystanders with a mobile phone. The sergeant said that they were “daidaidei” (“低低地”). He opined that district councillors should be “daidaidei” (“低低地”) and hoped that the government officials would behave in that way, i.e. one should lower his own posture. One came not to be served but to serve. In his opinion, the public’s hatred of police officers did not emerge within a short while and the police officers also handled some people in an unfriendly manner. He suggested that a mental health survey should be conducted for the police officers. He hoped that all police officers would wear their warrant cards during operations, so that he could identify the designated commander of each squad and lodge complaints on the police officers who lost control emotionally. He also hoped that these police officers would be interdicted from duties immediately.

34. Mr PUN Long-chung, Roy pointed out that by playing the footages and displaying the photos at the meeting, the Members hoped that the Commissioner of Police would face his deeds squarely. He enquired whether the Police had made mistakes when handling the public processions and demonstrations since the movement of opposition to the proposed legislative amendments; and whether stepping on the heads of arrested people or random shot shown in the footages were examples of the use of appropriate force by the police officers without alternatives as mentioned by the Commissioner of Police. Earlier, he found that many anti-riot police officers were deployed at Citywalk and shot tear gas canisters before departure, which exposed the elder persons in the residential care homes for the elderly nearby to tear gas. He enquired whether the Police had reviewed the room for improvement and the mistakes they had made or the breach of the Police General Orders under the aforesaid circumstances. Also, he enquired whether disciplinary reviews for “the 721 incident” had been conducted and only the Lennon Wall cases were subject to disciplinary reviews. Besides, he enquired about the number of cases which required disciplinary reviews due to the police officers’ refusal to display their warrant cards for certain reasons. He enquired why the Commissioner of Police stated that the Police had never made mistakes if the disciplinary reviews were underway. If the Police had made mistakes, he enquired why no police officers were subject to disciplinary reviews and there had been no related news so far. In addition, he held that the Police should be disbanded without delay.

35. Mr LAU Jackson enquired the Commissioner of Police how the general public could verify the identity of a self-proclaimed police officer who was masked and dressed in casual wear without a warrant card. Previously, some police officers had failed to recognise a plain-clothed police officer who was performing duties in disguise, and made an arrest or used force towards him. He enquired whether the

police officers used force at the scene because the plain-clothed police officer had broken the law; or the police officers had made indiscriminate arrest and used inappropriate force. As the police officers currently failed to observe the Police General Orders and display their warrant cards, he was worried that some people would impersonate police officers and commit crimes. He enquired how the Commissioner of Police resolved the problem. Besides, if a police officer used force without displaying his or her warrant card, many righteous citizens alike the Commissioner of Police might think that the police officer was impersonated by someone else and then resisted rightly. He further enquired whether the citizens involved in unpremeditated scuffle with the police officer under such circumstances would be charged with assault. He hoped that the Commissioner of Police would give response to it. Moreover, he displayed a photo and enquired the Commissioner of Police whether the acts shown in the photo were regarded as appropriate force; whether the Commissioner of Police would conduct investigation in respect of appropriate force; whether the police officers could fully subdue the arrested persons by stepping on them; when the results of the disciplinary reviews as mentioned by the Commissioner of Police would be released; and about the relevant punishment. He hoped that the Commissioner of Police would not give answers such as “I do not believe”, “I do not know”, or “I do not understand and have not seen it”.

36. Mr LAI Man-fai agreed with the Commissioner of Police that the crime rate was on the rise. He pointed out that from the footages played earlier and the incidents occurred over the past few months, it could be seen that all police officers had been using force against people. He believed that many journalists attending this meeting had received the same treatment from the police officers. An 18-year-old student of Tsuen Wan Public Ho Chuen Yiu Memorial College in his constituency area was shot in the chest at point-blank range by a reckless police officer off Tai Ho Road on 1 October 2019. Although the life of the student was not in danger, he could no longer do exercises like ordinary people. Later, the students and alumni of the aforesaid school conducted supportive campaigns, such as setting up a Lennon Wall outside the school entrance. The Police deployed anti-riot police officers to the school twice. The students and alumni were frightened. He was also treated impolitely by the police officers when learning about the situation at the scene. Besides, the Commissioner of Police stated confidently at the meeting of the C&W DC that he had duly played his part. He thus enquired why the Commissioner of Police opposed the establishment of an independent Commission of Inquiry (CoI). The netizens often commented that “nowhere to be seen on 21 July; beating people to death on 31 August; and shooting people to death on 1 October”. The independent inquiry could prove the police officers innocent. He opined that the Commissioner of Police would fail to live up to the expectations of the police officers if he did not support the independent inquiry. He found that the Commissioner of Police claimed that he represented justice after meeting the Political and Legal Affairs Commission of the CPC Beijing Municipal Committee in Beijing. He was uncertain whether the Commissioner of Police made such a claim because he thought that the Central Government supported him. In his opinion, the Commissioner of Police lacked political awareness. This day was the 28th day of the lunar month. Some members of the public asked him to extend early Chinese New Year greetings to the Commissioner of Police with a persimmon (“柿”). They hoped that the Commissioner of Police would no longer make shameless (“無恥”) comments in the

coming year (“恥” is a homophone of “柿” in Cantonese and the literal translation of “無恥” is “without shame”). He enquired when the Commissioner of Police would disclose to the public the unique identification number of the police officer who shot the student on 1 October 2019. Moreover, he was attacked from behind by an old man when setting up a street counter at Shek Wai Kok Shopping Centre on 1 September 2019. At that time, the face of the old man was filmed and the home address of the old man was learnt. However, he received a written reply from the HKPF in December 2019 that investigation could not be conducted. If the Police had such a low capability for investigation, it would be impossible for the public to have confidence in the Police. When his assistant who was dressed in black and wore a mask entered the Main Conference Room earlier, a police officer standing aside called his assistant “rubbish”. He thus enquired the Commissioner of Police whether this police officer had behaved properly.

37. Mr TSE Man-chak opined that the Police ruined their image themselves over the past six months. The Police Public Relations Branch often stated that the mode of operation was determined by the police officers on the front line. Some police officers had also disguised as protestors. He believed that the Commissioner of Police agreed that Hong Kong Police was disciplined. He also believed that the Commissioner of Police was conversant with the Police General Orders, and that all police officers, as the disciplined services staff, would be subject to disciplinary punishment if they violated the Police General Orders. He pointed out that under the Police General Orders, it was stated in Chapter 6 that police officers should not send anonymous correspondence; in Chapter 15 that police officers should not vary any item of uniform or dress issued by the Force unless authorised by the Commissioner while he believed that the Commissioner of Police had not authorised the frontline police officers to vary their uniform; in Chapter 20 that an officer in plain-clothes should produce his warrant card; in Chapter 39 that all officers at the scene of an incident should facilitate the work of the news media as much as possible and should not block camera lenses; and in Chapter 76 that the HKPF respected personal data privacy and was committed to complying with requirements of the Personal Data (Privacy) Ordinance. He questioned about the non-compliance of all the aforesaid rules by the frontline police officers.

38. Mr TAM Hoi-pong said that Members raised many questions on this day because they thought that the Commissioner of Police was incapable of leading the Police to take law enforcement actions in compliance with the Police General Orders. It resulted in the assault and battery on the protestors and various acts in violation of the Police General Orders. Over the past six months, the Police had used force against many people. The introduction of stun gun under study by the Commissioner of Police worried him the most. In his opinion, stun gun was very dangerous. According to the report of the Committee Against Torture of the United Nations in 2007, stun gun could be lethal and cause serious bodily injury. He enquired whether the Commissioner of Police wished to kill the protestors with stun gun; and whether he would receive a safety test of human tolerance of stun gun. Besides, the discrepancies between the claims made by the Commissioner of Police and the real scenarios of protests were illustrated in the photos displayed by many Members earlier. The remarks given by the Commissioner of Police were also different from the illustrations in live broadcast footages in substance. He

questioned whether the live broadcast footages filmed by the media workers went awry. Hence, he hoped that the Commissioner of Police would understand that stun gun was extremely dangerous. Stun gun should not be introduced unless the Commissioner of Police received a safety test of human tolerance of stun gun in a live streaming. In addition, he had followed up on many cases of arrested persons at police stations. He found it most unacceptable that the police officers applied for a search warrant to search the mobile phones of arrested persons at the respective police station. He thus enquired whether additional search warrants had been applied for searching other police stations; and whether a dozen mobile phones could be searched collectively under one search warrant, apart from the two search warrants under application on 23 and 24 September 2019 as covered in the news report few days ago.

39. The Vice Chairman said he did not totally share the views of the Commissioner of Police. But he thanked the Commissioner of Police for visiting the TWDC and exchanging views with Members, especially those holding different views. The Commissioner of Police opined earlier that the footages concerned were excerpts, not a full picture of the respective incidents. He agreed with the Commissioner of Police. Also, he had received many views that the protestors were wrong and agreed that there were problems indeed. Relatively speaking, it could be seen from some footages that the police officers had used excessive force. He hoped that the Commissioner of Police would seriously conduct a review from both perspectives, in order to ascertain whether the police officer had used excessive force. Moreover, the Commissioner of Police mentioned that more than 7 000 persons were arrested and 38 cases were convicted. Despite the fact that some cases were still under investigation by the Police, the conviction rate was only 0.5%. It showed that there might be indiscriminate arrests. Students accounted for 40% of the arrested persons. A fair number of them were students of the Chinese University of Hong Kong and the University of Hong Kong. He was saddened by this. He opined that the arrest of university students who were the elites of Hong Kong due to participation in protests gave us a lot of food for thought. He hoped that the fairness of the prosecution procedures would be assured. Also, he was sad to see the poor police-civilian relation and reputation of the Police because he appreciated and took pride in the Police in the past. However, at present, the public no longer had a positive view of the Police. The Members who made remarks earlier represented the views of a fairly large group of people. He opined that prudent consideration should be given to the ways to enhance the image of the Police and therefore, he hoped that the Government would establish an independent CoI accordingly.

40. The Commissioner of Police responded as follows:

- (1) he understood that members of the society did not agree to some of the Police's work and there were numerous causes. For example, as the Police arrested the people who broke the law, many people who intended to commit or supported the unlawful acts would show hostility towards the Police. The circulation of fake news and misinformation, smearing of the Police and inciting hatred towards the Police were also the major causes. Members also might have fallen victim to these causes;
- (2) he agreed with the Member that the police officers should uphold professionalism. In the execution of duty, all police officers should wear warrant cards and display unique identification numbers where practicable;

- (3) although the HKPF had not yet succeeded in arresting the suspects, the people in questions were rioters who vandalised public property, set fires and committed criminal acts;
- (4) he disagreed with the Member on the accusation that the Police battered people. The Police would only use appropriate force when handling the rioters who broke the law. He had already mentioned earlier that judgement should be made according to the full details of incidents. The footages concerned were excerpts. The Police could only assess the level of force required to subdue the offenders after taking into account the details of what happened before and after the filming of incidents. Therefore, the cases concerned should be handled separately;
- (5) he disagreed with the Member on the accusation of random shot by the police officers. It had never happened;
- (6) the deployment of police officers at Citywalk was necessary because many rioters had entered Citywalk and damaged the shops and properties inside. The rioters had also beaten up innocent people. The HKPF had never targeted the tear gas canisters at the residential care homes for the elderly. The choice of location for the use of tear gas canisters did not lie with the HKPF; instead, the HKPF should handle the violent acts of rioters on the spot. Under practicable circumstances, the HKPF would notify the residential care homes for the elderly or the residents nearby to take protection measures before the use of tear gas canisters. Over the past seven months, the HKPF certainly had room for improvement over many incidents and made mistakes as well. The individual improper acts were under investigation and the disciplinary reviews were also underway;
- (7) the police officer involved in the case of Lennon Wall had been arrested. The HKPF remained steadfast on duties and would make arrest regardless of the faith of offender and the nature of crime committed. Besides, the HKPF did not have the number of cases which required disciplinary reviews due to the police officers' refusal to display their warrant cards at the moment. The HKPF would give a reply in due course. He had never said that the Police had done nothing wrong. Indeed, the HKPF had room for improvement and might have made mistakes when handling individual incidents. The HKPF would take practicable actions such as disciplinary reviews. He had also personally apologised to a person who was accidentally sprayed by blue liquid from the water cannon vehicle;
- (8) all police officers should display their warrant cards where appropriate and practicable. The failure to display warrant cards where appropriate by police officers was unwarranted. Under certain circumstances, for example, during the HKPF's recent arrest of an offender who fired shots, the police officers did not firstly display their warrant cards after evaluating various factors including the safety at the scene and controlling the offender. Nevertheless, they had immediately called out that they were police officers. The HKPF would thoroughly look into each incident. Members did not have to worry about being arrested for the acts done due to mistaking a police officer as a thief whose warrant card was unseen;

- (9) without the full details, it was difficult for the HKPF to judge an incident according to one photo. If the Members held that the incident involved wrongdoing, they should lodge complaint so that the HKPF could thoroughly investigate the incident;
- (10) the person associated with the incident on 1 October 2019 as mentioned by the Members was arrested and prosecuted for rioting and assaulting police officers. The HKPF was saddened to see the young people doing such acts. He hoped that Members would think about the mastermind who incited the young people, hypnotised them into believing that they were right while the police officers were wrong and encouraged them to continue the use of violence;
- (11) “the 831 incident” was a fabrication. The HKPF had time and again explained that no person died in the incident while there were conclusive evidences for the cases on 11 and 13 November 2019;
- (12) he shared with the Member’s comment that he lacked political awareness. As a member of the Police or a police officer, he adopted a humble attitude to arrest criminals and maintain law and order. He did not understand politics and had no interest in it;
- (13) he would refer the three incidents mentioned by Members, including the case on 1 September 2019, to the District Commander (Tsuen Wan) who would give response in due course. The black-clad people might lodge complaints if they felt aggrieved during investigation;
- (14) he noticed that some people insulted others who spoke Cantonese with an accent. He opined that it was a discriminatory act and our society should be inclusive;
- (15) he was unclear about the incident mentioned by the Member and found it difficult to give comments without grasping the facts. Also, he was unable to respond to the Member’s enquiry as to whether disciplinary reviews were conducted by Hong Kong Police in just a few words. However, he clarified that the police officers would not disguise as protestors and break the law, but he was unsure whether the rioters would impersonate police officers. Moreover, regarding the police uniform, the labels shown in the Member’s photos were used for identification of squads. He disagreed that it was the non-compliance of the Police General Orders because the operational attire and work attire worn by the police officers were not the regular uniform. The HKPF would adopt identification means when conducting operations but the details could not be disclosed;
- (16) he appealed for the Members to keep calm. Also, he disapproved of a series of accusations made by the Members and asked them to secure evidence before making accusations;
- (17) the HKPF was currently reviewing whether new weapons should be adopted. The new weapons should meet a set of requirements, including safety and performance. He enquired the Member whether the Police should test a new model of pistol by shooting themselves before introduction of the pistol;
- (18) upon seizure of a mobile phone, the Police would examine the digital contents of the mobile phone pursuant to the Police Force Ordinance (Chapter 232) in general. However, in a case in January 2014, the Police was requested that the examination of the digital contents of

mobile phone should not be conducted immediately after the seizure of mobile phone and should apply for another search warrant. Therefore, the HKPF made application for search warrants according to the respective guidelines. Regarding other enquiries on search warrants as raised by the Member, he believed that the detailed explanation would be given at the hearings of the on-going judicial review;

- (19) he agreed that everyone should strive for harmony and diversity. He also agreed that it should seriously review whether the police officers had used an appropriate level of force. He pointed out that the Member had misinterpreted the arrest figure. The HKPF had prosecuted over 1 000 persons so far. Most of these cases were handled by the District Court and had not yet proceed to trial, including the rioting cases and therefore only 38 cases were convicted for the time being. The calculation based on the current figures was inaccurate; and
- (20) he was very upset to see the arrest of many university students, secondary school students and even primary school students. He would like to take this opportunity to tell the young people that there was nothing wrong with pursuing ideals, provided that they did not break the law or resort to violence. Besides, he believed that the persons behind the scene who incited the young people to commit crimes should be condemned.

41. The Chairman said he noted that many media workers attended the meeting. In his opinion, the media workers had endeavoured to report the truth for all people in Hong Kong and around the world with full dedication. He enquired why the police officers had time and again fired tear gas canisters and rubber bullets at the media workers. The police officers even pepper-sprayed different journalists continually and directly at a recent assembly. Also, a police officer directly displayed a journalist's Hong Kong identity card in front of a live streaming camera, and the Privacy Commissioner had already stated that this was an improper act. He thus enquired whether the police officer concerned was reprimanded or punished and why the said situation had recurred. He opined that the police officers should not only protect members of the public, but also media workers who reported the truth. He hoped that the Commissioner of Police would instruct the police officers to refrain from using pepper spray or other weapons against media workers, members of the public and young people. They should not display identity card or personal information of any owner in front of a camera. He opined that the media workers were only doing their job and did not wish to see the recurrence of the said situation. He hoped that the Commissioner of Police would take heed of Members' views.

42. The Commissioner of Police responded as follows:

- (1) the HKPF held that personal privacy should not be revealed publicly and the police officer concerned had been rebuked;
- (2) the HKPF had all along maintained relationship with media on the basis of respect and provided assistance for media through Media Liaison Team wherever practicable. The HKPF hoped that members of the public would understand that upon arriving at the scene, the police officers had to maintain law and order and arrest the offenders in

a chaotic situation. He also understood that the journalists were dedicated to reporting and endeavoured to report the actual happenings on the front line. However, there might be incompatibility between the role of journalists and that of police officers. The HKPF should make all-out effort to prevent the offenders from being snatched. Recently, some rioters deliberately stood among the journalists and slashed a police officer's neck with a cutter, threatening the life of the police officer. The HKPF wished to work in concord with the media workers as far as possible and foster mutual understanding. The Police was tasked with assuring public safety. Besides, the HKPF had liaised with the media workers through many official and unofficial channels, in order to identify the best way to work together. The HKPF would make every effort to facilitate the reporting of journalists under safe and practicable circumstances, and hoped that the journalists would also understand that the Police should maintain law and order and in particular, protect the safety of the public and police officers;

- (3) he believed that if there were no rioters, the police officers would not have to work day and night. They could return home and take a break; and
- (4) he did not understand why some Members had time and again interrupted him. He was uncertain whether these Members were afraid that he would tell the truth.

43. The Chairman said that he had received two impromptu motions.

44. The Commissioner of Police stated that as the handling of motion was the in-house affair of the TWDC and unrelated to the question and answer session, he would leave the Main Conference Room.

(Note: The Commissioner of Police walked out.)

45. The Chairman requested the persons who disrupted the orderly conduct of the meeting to leave the place of the meeting.

(Note: The Chairman maintained order in the Main Conference Room.)

46. District Officer (Tsuen Wan) of the Tsuen Wan District Office (TWDO) stated that the Government expressed regret over the TWDC's unfounded accusations, impolite treatment as well as personal offensive remarks and stances against the Commissioner of Police and the Police. Therefore, the government representatives would also leave the Main Conference Room.

(Note: The government representatives walked out.)

(Note: Mr YAU Kam-ping, Mr CHAN Sung-ip and Mr KOT Siu-yuen left the meeting at 4:47 p.m.)

47. The Chairman urged Members to promptly return to their seats. Otherwise, the meeting could not proceed because a quorum was not present.

48. Mr SHUM Lester enquired about the whereabouts of District Officer (Tsuen Wan) and other government representatives.

49. The Chairman said he learnt during the chaos that District Officer (Tsuen Wan) and other government representatives left the Main Conference Room because some attendees of the meeting had made offensive remarks against government officials.

50. Mr YICK Shing-chung, Angus enquired whether District Officer (Tsuen Wan) would return to the Main Conference Room; about the substance of the offensive remarks that she had mentioned earlier and why she made such a judgement before the Members proposed the motions; and whether this TWDC meeting was a lawful meeting having regard to the current status.

51. The Chairman stated that according to the current status, this TWDC meeting was a lawful meeting. Also, a number of important matters were pending discussion. Hence, the meeting would proceed.

52. The Chairman stated that he had received two impromptu motions earlier. Mr SHUM Lester moved the first impromptu motion that “the Tsuen Wan District Council requested the SAR Government to immediately carry out a complete revamp of the Police and a thorough investigation of the police brutality”. Ms CHAN Kim-kam, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Mr PUN Long-chung, Roy, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong seconded.

53. The Secretary stated that according to section 27 of the Tsuen Wan District Council Standing Orders (the “Standing Orders”), Members could each propose one agenda item at a meeting of the TWDC. A jointly proposed agenda item was also regarded as one item. She drew the Chairman’s attention to the fact that the mover and most of the seconders of the impromptu motion concerned had already proposed agenda items for this meeting.

54. Mr LAI Man-fai said that he had not proposed agenda item for this meeting.

55. The Chairman stated that as Mr LAI Man-fai had not proposed agenda item for this meeting, he could serve as the seconder of the impromptu motion concerned. As the impromptu motion should be proposed by a Member who had not proposed agenda item for this meeting, he asked whether Mr LUK Ling-chung, Antonio agreed to move the impromptu motion.

56. The Secretary stated that the TWDC had never accepted the handling of impromptu motion at its meetings in the past. She enquired whether the Chairman accepted the handling of the impromptu motion concerned.

57. The Chairman stated that he accepted the handling of the impromptu motion concerned.

58. Mr LUK Ling-chung, Antonio moved an impromptu motion that “the Tsuen Wan District Council requested the SAR Government to immediately carry out a

complete revamp of the Police and a thorough investigation of the police brutality”. Mr LAI Man-fai seconded.

59. The Chairman proposed that an open ballot should be held. Members agreed to the proposal.

60. The Chairman asked Members to vote on the impromptu motion concerned. The voting result was listed as follows:

For (16 votes in total)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr LUK Ling-chung, Antonio, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (0 vote in total)

Abstention (0 vote in total)

61. The Chairman announced that the impromptu motion concerned was carried.

(Post-meeting note: The Secretariat conveyed the motion to the Office of the Chief Executive, Security Bureau (SB) and IPCC in writing on 20 February 2020.)

62. The Chairman stated that Ms CHAN Kim-kam moved the second impromptu motion that “the Tsuen Wan District Council requested the SAR Government to immediately release the politically prosecuted protestors of the anti-extradition to China movement”. Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr TSE Man-chak and Mr TAM Hoi-pong seconded.

63. The Secretary stated that according to section 27 of the Standing Orders, Members could each propose one agenda item at a meeting of the TWDC. A jointly proposed agenda item was also regarded as one item. As the mover and seconders of the impromptu motion concerned had already proposed agenda items for this meeting, they could not propose the impromptu motion.

64. Mr CHIU Yan-loy believed that agenda item 15: A Motion: Five Demand, Not One Less, also covered the impromptu motion concerned. Hence, he proposed that it could be discussed under agenda item 15.

65. The Chairman agreed to the proposal concerned.

III Item 2: Adoption of Guidelines on the Tsuen Wan District Council Funds
(TWDC Paper No. 1/2020)

66. The Secretary introduced the paper.

67. Mr CHIU Yan-loy enquired about the requirement of declaration of interests by Members on the organisations set up by Members and their appointment of organisers by the organisations.

68. The Secretary stated that the organisations which were not set up by Members might also make funding applications to the TWDC despite of their association with Members; however, such organisations should comply with the Guidelines on the Tsuen Wan District Council Funds (the “Guidelines”). The Members concerned should also make declaration of interests when such funding applications were vetted by the TWDC.

69. Mr NG Hin-lung, Norris suggested deleting section 5.3.4(f) of the Guidelines which specified that the TWDC funds would not be allocated to support the recurrent expenditure such as rental and equipment cost. He thought that as some community involvement activities might involve the acquisition of equipment or renting of some places for a while for provision of services to the members of the public, section 5.3.4(f) of the Guidelines could be deleted first so as to enhance the flexibility in the application for TWDC funds in future.

70. Mr WONG Ka-wa disagreed with the deletion of section 5.3.4 of the Guidelines. In his opinion, given that the procedure concerned was effective and there were some cases of impersonation of TWDC Members in the community over the past two months, the sponsored organisations should display the name or logo of the TWDC in all publicity materials.

71. Mr NG Hin-lung, Norris clarified that he suggested deleting section 5.4.3(f) of the Guidelines.

72. The Secretary stated that the costs of basic equipment, office rental and maintenance of the organisations were categorised into recurrent expenditure which should not be settled by the TWDC funds.

73. Mr LAU Cheuk-yu said that the Commissioner of Police was being interviewed by the reporters outside the main conference room at the moment. As DC Members, they should talk about their feelings towards the visit of the Commissioner of Police to the TWDC in front of the media. Therefore, he proposed that the meeting should be suspended for the time being.

74. The Chairman disagreed with the proposal. He pointed out that the conduct of the DC meeting should not be affected by the media interviews. Members might leave the main conference room in their own initiatives for media interviews if they deemed necessary. In addition, section 5.4.3(f) of the Guidelines should not be deleted. Members might make discussions in future if necessary.

75. Members unanimously endorsed the adoption of the Guidelines on the Tsuen Wan District Council Funds as set out in the Annex to the paper.

IV Item 3: Establishment of Working Groups under the Tsuen Wan District Council

(TWDC Paper No. 2/2020)

76. The Secretary introduced the paper.

77. Members unanimously endorsed the following proposals:

- (1) the establishment of the Finance and In-house Working Group and Working Group on Activities in 2020-2023;
- (2) the proposed terms of reference of the above Working Groups (Annex I); and
- (3) the tenure of the Finance and In-house Working Group from the date of establishment of the Working Group to 31 December 2023 and the tenure of the Working Group on Activities from the date of establishment of the Working Group to 31 March 2020.

78. Members expressed their intentions to join the above Working Groups by a show of hands. The membership lists of the above Working Groups were set out in Annex II.

(Post-meeting note: The Secretariat invited Members who did not join the said Working Groups at this meeting to join the said Working Groups in writing on 24 January 2020.)

79. Members unanimously agreed that the Chairman took up the Convenor of the Finance and In-house Working Group and the Vice Chairman took up the Convenor of the Working Group on Activities.

V Item 4: Endorsement of Tsuen Wan District Council Funds (Community Involvement Project) Allocation and Financial Arrangements between January and March 2020

(TWDC Paper No. 3/2020)

80. The Secretary introduced the paper.

81. The Chairman asked Members to make declaration of interest. No Member made declaration of interest.

82. Members unanimously endorsed the proposal on the Tsuen Wan District Council Funds (Community Involvement Project) Allocation between January and March 2020 and the respective administrative arrangements.

VI Item 5: Endorsement of Tsuen Wan District Council Funds Applications (January - March 2020)

(TWDC Paper No. 4/2020)

83. The Secretary introduced the paper.

84. The Chairman asked Members to remain seated for the conduct of the meeting as far as possible and take note of the quorum of the meeting before leaving

their seats in order to prevent the abortion of meeting due to the fact that a quorum was not present. He asked Members to make declaration of interest.

85. The Vice Chairman made declaration of his Vice Chairmanship of the Tsuen Wan Centre Recreation Association.

86. The Chairman stated that he requested the Member who concurrently held a substantive position in the organiser/co-organiser/joint organiser of the activity concerned to remain silent during the discussion of the funding application concerned and not to participate in the decision-making or voting of the funding application concerned according to section 48(11) of the Tsuen Wan District Council Standing Orders.

87. Mr PUN Long-chung, Roy thought that Members should review whether the Secretariat had worked in collaboration with the TWDC when considering whether to endorse the funding applications concerned. In his opinion, the Secretariat should tie in with the work of the TWDC Members as far as practicable.

88. The Chairman asked the Member to focus on the discussion of the captioned agenda item.

89. Mr NG Hin-lung, Norris said that many residents had put forth their views on the quality and types of the DC-funded activities and he also wished to take this opportunity to talk about his expectations and ideas on the DC-funded activities. He hoped that the DC funds would be allocated to the provision of services for the public such as mobile healthcare service, which would be accessible to all areas in Tsuen Wan, instead of the activities on dining and entertainment or carnivals. He also thought that the sponsored organisations should maintain liaison with the TWDC as appropriate and should not allocate most of the DC funds to settle the cost of outsourced services. The fifth funding application for the Hong Kong Flower Show cum Game Booths 2020 at this meeting had disappointing echoes of the outsourcing of the entire activity by the sponsored organisation after the receipt of DC funds and deduction of the Central Administrative Overheads therefrom whereas the second, third and fourth funding applications were made for one-off activities in the form of entertainment, which were not the provision of services truly for the members of the public. Hence, he hoped that the five funding applications would be voted on separately, and he would only vote for the first funding application and vote against the remaining four funding applications.

90. The Chairman agreed that the five funding applications would be voted on separately.

91. After voting, the “Participation in the 34th Inter-district Athletic Competition in the New Territories” received 9 votes in favour, 0 vote against and 0 abstention. The “Variety Show for the Chinese New Year 2020” received 7 votes in favour, 2 votes against and 0 abstention. The “Evening Variety Show for the Chinese New Year in Tsuen Wan Centre” received 8 votes in favour, 1 vote against and 0 abstention. The “Carnival for Joyful Celebration of the Chinese New Year” received 7 votes in favour, 2 votes against and 0 abstention. And, the “Hong Kong Flower Show cum Game Booths 2020” received 7 votes in favour, 2 votes against and 0 abstention.

92. The Chairman announced the endorsement of the following five funding applications:

	<u>Name of Activity</u>	<u>Applicant organisation/ Co-organiser</u>	<u>Amount Approved (\$)</u>
(I)	<u>Cultural, Recreation and Sports Committee</u>		
(a)	<u>Activities held by organisations with earmarked funding</u>		
(1)	Participation in the 34th Inter-district Athletic Competition in the New Territories	The Federation of Tsuen Wan District Sports & Recreation Association Limited	11,840.00
(b)	<u>Activities held by local organisations</u>		
(2)	Variety Show for the Chinese New Year 2020	Tsuen Wan New Year Committee for The Aged and The Young Recreation Association T.W.C.	15,000.00
(3)	Evening Variety Show for the Chinese New Year in Tsuen Wan Centre	Recreation Association T.W.C.	12,555.00
(4)	Carnival for Joyful Celebration of the Chinese New Year	Chung Sum Lau Mutual Aid Committee	15,000.00
(II)	<u>Activities co-organised by the Environmental and Health Affairs Committee and Working Groups</u>		
(5)	Hong Kong Flower Show cum Game Booths 2020	Jointly organised by Jockey Club Riviera Gardens Lutheran Integrated Service Centre and Working Group on Activities	14,000.00

93. Mr WONG Ka-wa said that the Hong Kong Flower Show cum Game Booths 2020 in Victoria Park was organised by the Leisure and Cultural Services Department (LCSD). Consideration might be given to the cessation of joining the Hong Kong Flower Show because the game booths of the same nature had been organised for many years.

94. The Chairman said that an organisation had withdrawn its funding application earlier for certain reasons. In order to avoid the abortive use of TWDC funds, he had earlier invited several organisations to apply for the surrendered TWDC funds for organising anti-epidemic activities of public concern, among which the Caritas Community Centre – Tsuen Wan had expressed interest in organising the anti-epidemic activity and submitted the funding application. Under time pressure, the funding application from the Caritas Community Centre – Tsuen Wan was still under process and was not tabled at this meeting for Members' vetting. He therefore suggested that the voting on this funding application should proceed by circulation of paper after this funding application was preliminarily processed. Members agreed to the said arrangement.

VII Item 6: Recruitment of Contract Staff for the Tsuen Wan District Council
(TWDC Paper No. 5/2020)

95. The Secretary introduced the paper.

96. The Chairman asked Members to make declaration of interest. No Member made declaration of interest.

97. Members unanimously endorsed the recruitment of contract staff for the TWDC with the funds allocated to the TWDC of this term.

VIII Item 7: The Leisure and Cultural Services Department's Recreation and Sports Programmes for April 2020 to March 2021 in Tsuen Wan District
(TWDC Paper No. 6/2020)

98. The Chairman said that the Tsuen Wan District Leisure Services Office of the LCSD had submitted the Recreation and Sports Programmes for April 2020 to March 2021 in Tsuen Wan district for Members' consideration and endorsement of the funding applications concerned. The representative of the LCSD attending the meeting was Mr CHENG Kwok-kuen, Chris, District Leisure Manager (Tsuen Wan).

99. District Leisure Manager (Tsuen Wan) of the LCSD introduced the paper.

100. Mr NG Hin-lung, Norris said that he had pointed out that the Briefing on Proper Ways to Use Fitness Equipment was well received by participants and heavily oversubscribed. In this connection, he enquired whether the LCSD would increase the number of briefing sessions in the coming year.

101. Mr MAN Yu-ming thanked the LCSD for carrying out repair works for the children's play equipment in Shing Mun Valley Park. He learnt that the replacement of some of the parts of the children's play equipment might require a longer time and therefore suggested that the LCSD should procure a reasonable quantity of spare parts in advance so as to shorten repair times.

102. District Leisure Manager (Tsuen Wan) of the LCSD said that the department would increase the number of sessions of the Briefing on Proper Ways to Use Fitness Equipment held in Tsuen Wan Sports Centre. In addition, the LCSD would try to study the possibility of expediting the said repair works.

103. Members unanimously approved the Recreation and Sports Programmes for April 2020 to March 2021 in Tsuen Wan district, and endorsed six funding applications of \$1,122,896 for April to June 2020, \$1,561,485 for July to September 2020, \$1,799,427 for October to December 2020, \$1,252,588 for January to February 2021 and \$143,604 for March 2021, of which \$143,604 would be payable in the financial year 2021/22.

IX Item 8: Proposal on Free Cultural and Recreational Programmes held in Tsuen Wan by Leisure and Cultural Services Department in 2020/21
(TWDC Paper No. 7/2020)

104. The Chairman said that the Performance Venues Office (New Territories South), Cultural Services Branch of the LCSD had submitted the proposal on free

district cultural and recreational programmes held in Tsuen Wan district in 2020/21 for Members' consideration and endorsement of the funding applications concerned. The representatives of the LCSD attending the meeting included:

- (1) Ms CHU Ching-han, Heidi, Chief Manager (Festivals and Audience Development);
- (2) Ms WONG Kit-yi, Pat, Senior Manager (Community Programmes);
and
- (3) Ms WONG Fan-ni, Jasmine, Senior Manager (New Territories South) Promotion.

105. Senior Manager (New Territories South) Promotion of the LCSD introduced the paper.

106. Mr CHIU Yan-loy opined that inadequate promotion of the cultural and recreational programmes in the past had led to poor attendances. Thus, he suggested that the LCSD should collaborate with District Councillors, local organisations or owners' committees to step up publicity. In addition, the programmes concerned had been held at the same venues for many years with some of the venues fairly close to residential premises. Having received views from residents on noise caused by these programmes, he suggested that the LCSD should coordinate the use of venues for the programmes, and select more desirable venues not close to residential premises.

107. The Chairman asked the LCSD to note the Member's views.

108. Members unanimously approved the proposal on free district cultural and recreational programmes held in Tsuen Wan district in 2020/21, and endorsed two funding applications of \$61,000 for March 2020 and \$680,000 for April 2020 to March 2021, of which \$61,000 would be payable in the financial year 2021/22.

X Item 9: Plan for Promotion Activities of Tsuen Wan District Public Libraries between April 2020 and March 2021 by Leisure and Cultural Services Department
(TWDC Paper No. 8/2020)

109. The Chairman said that the LCSD had submitted the plan for promotion activities of the public libraries in Tsuen Wan district in 2020/21 for Members' consideration and endorsement of the funding applications concerned. The representative of the LCSD attending the meeting was Ms TSE Ka-yee, Carmen, Senior Librarian (Tsuen Wan).

110. Senior Librarian (Tsuen Wan) of the LCSD introduced the paper.

111. Members unanimously approved the plan for promotion activities in 2020/21, and endorsed two funding applications of \$2,368 for March 2020 and \$85,000 for April 2020 to March 2021, of which \$2,368 would be payable in the financial year 2021/22.

XI Item 10: A Repeated Request for Enhanced Management of Greening Noise Barriers

(TWDC Paper No. 9/2020)

112. The Chairman said that as this agenda item was raised by him, the Vice Chairman would take over the chair temporarily.

113. The Acting Chairman said that Mr CHAN Yuen-sum, Sumly submitted the paper. Besides, the written replies of the Environmental Protection Department (EPD) and Highways Department (HyD) were tabled at the meeting.

114. Mr CHAN Yuen-sum, Sumly introduced the paper and enquired about the reasons for the EPD and HyD's failure to send their representatives to attend the meeting.

115. The Secretary said that after the Secretariat had sent out the invitations, the EPD and HyD only replied to the Secretariat in writing without explaining their reasons for not sending their representatives to attend the meeting.

116. The Acting Chairman said that the EPD had pointed out in its written reply that the planting of vegetation on the greening noise barriers was outside the purview of the EPD, whereas the HyD had pointed out in its written reply that in view of the poor growth of plants on the vertical green panels, consideration was being given to an alternative or refined proposal. The HyD would also continue to monitor the conditions of the vertical green panels and take follow-up action as appropriate when necessary.

117. Mr CHIU Yan-loy said that the EPD had stated clearly in its written reply that the said problem did not concern the department, while the HyD had stated that some of the vertical green panels had been handed over to the LCSD for handling and contractors were arranged to remove the withered plants thereon. Such plants would not only affect the cityscape and environmental hygiene, but would also become potential breeding grounds of mosquitoes. It was learnt that government departments were very efficient when it came to installing wire fences, but were slow to address livelihood issues. Thus, he requested that the proposal for handling withered plants and the relevant timetable should be provided as soon as possible.

(Note: Mr MAN Yu-ming left the meeting at 5:34 p.m.)

118. The Acting Chairman asked the Secretariat to send a letter to the HyD to request a prompt explanation of its alternative proposal for handling withered plants and the relevant timetable.

119. Mr LUK Ling-chung, Antonio said that the HyD and EPD had tabled their respective papers on the captioned matter at the meeting. He noted from the chops on these written replies that the Secretariat received them from the EPD and HyD on 17 January and 21 January 2020 respectively. This indicates that the written reply of the HyD was received only yesterday and had to be tabled at the meeting. Given the fact that the discussion paper was submitted as early as on 2 January 2020, the HyD had made a belated reply. In his opinion, the department's delayed reply and failure

to send a representative to attend the meeting were acts disrespectful to Members, and the department should be reprimanded accordingly. While the Secretariat had received the EPD's written reply on 17 January 2020, it failed to pass the written reply to Members in advance. He therefore enquired about the criteria for tabling papers at the meeting. He also considered both departments extremely disrespectful to the TWDC given their failure to send their representatives to attend the meeting. He enquired whether the Secretary would contact the two departments to learn about their reasons for not sending their representatives to attend the meeting so as to exert reasonable pressure on both.

120. The Secretary stated that all papers received within two clear working days before the meeting would be tabled at the meeting. Generally speaking, the Secretariat would send letters to invite staff of government departments to attend the meeting, and request those departments sending their representatives to attend the meeting to provide written replies rather than just replying orally, which was not allowed.

121. Mr LUK Ling-chung, Antonio said that after a department had replied that it would not send their representatives to attend the meeting, the Secretariat could inform the proposer accordingly so that the proposer could give instructions or suggestions on how to negotiate with that department. In addition, he did not understand why the Secretariat failed to inform Members of the EPD's written reply on the captioned matter earlier. He also enquired about the calculation method for the two clear working days as stated by the Secretary, and the exact time of receipt of the EPD's written reply.

122. The Secretary said that the Secretariat noted Members' views.

123. Mr CHAN Yuen-sum, Sumly opined that the departments concerned were disrespectful to the TWDC given their failure to send their representatives to attend the meeting. He pointed out that both departments sent their representatives to attend meetings three years ago. Today, however, the HyD did not consult the TWDC even before installing fences. Three years ago today, staff of the EPD conducted inspection at the Lunar New Year fair to check whether fair stall operators had violated the Product Eco-responsibility (Plastic Shopping Bags) Regulation (Cap. 603A) so as to impose a penalty on offenders. The EPD staff were available for the said operation, but not the TWDC meeting. Therefore, he suggested sending letters to the Director of Environmental Protection and Director of Highways to reprimand both for their failure to attend the TWDC meeting without reasonable grounds, and their utter disrespect for the TWDC.

124. The Acting Chairman asked if Members agreed to the proposal for issuing letters to the EPD and HyD to reprimand the departments. Members agreed to the proposal.

125. Mr WONG Ka-wa agreed with the paper submitted by the Member. He pointed out that many years ago, some departments stated their intention to plant vegetation at the vertical green panels. However, according to his weekly observation, their proposal was a complete failure in that the departments concerned

could not effectively monitor whether the contractor had carried out remedial work after receiving its fee and whether there had been collusion between the Government and the business sector. Much public money and money from taxpayers had been spent on these greening noise barriers over the years as new ones were constructed every year at substantial construction costs. He hoped to take this opportunity to put the said matter on record and urge for the provision of the total expenditure on the construction works of such barriers in the letters to the departments concerned. Since those departments failed to send their representatives to attend the meeting, he questioned whether they still showed respect for the TWDC.

126. The Acting Chairman said that the letters to the EPD and HyD would not only seek to reprimand the departments, but would also request an explanation of the total expenditure on the construction works concerned.

(Post-meeting note: The Secretariat conveyed Members' views to the EPD and HyD in writing on 6 March and 23 April 2020 respectively.)

127. The Chairman resumed the chair.

XII Item 11: Request the Government to Establish the Independent Commission of Inquiry and Item 15: A Motion: Five Demands, Not One Less
(TWDC Paper No. 10/2020 and TWDC Paper No. 14/2020)

128. The Chairman stated that the Vice Chairman and Mr LAM Sek-tim submitted the paper. Also, as this item and Item 15: A Motion: Five Demands, Not One Less (TWDC Paper No. 14/2020 submitted by Mr TAM Hoi-pong and Mr TSE Man-chak) fell within the same scope, both items would be discussed together. Besides, the written replies of the IPCC and Home Affairs Department were tabled at the meeting.

129. The Vice Chairman and Mr LAM Sek-tim introduced TWDC Paper No. 10/2020.

130. Mr NG Hin-lung, Norris enquired about the reasons for rearranging the agenda items.

131. The Chairman stated that as the two captioned items fell within the same scope, they should be discussed together for time-saving. He enquired whether Members agreed to discuss item 15 concurrently under item 11. Members unanimously agreed to the arrangement.

132. Mr TAM Hoi-pong and Mr TSE Man-chak introduced TWDC Paper No. 14/2020.

133. Mr WONG Ka-wa said that the Government had earlier invited several international renowned experts to investigate the social incidents which happened recently. The experts had made a statement on the social platform that the probe into the social incidents fell beyond their terms of reference. Also, the department was uncooperative and failed to submit reports and assign representatives for discussions. In his opinion, the Hong Kong Government might have even led the experts to make false claims and therefore, the experts quit amid ongoing investigation. Moreover,

he pointed out that both papers submitted by the Members were related to “Five Demands”. He hoped that the Hong Kong Government would wake up in time and heed elected Members’ views, in order to address “Five Demands” and establish the independent CoI.

134. The Chairman asked Members to observe the rules of meeting.

135. Ms CHAN Kim-kam said that when discussing the item of Visit of Commissioner of Police to Tsuen Wan District Council earlier, she proposed an impromptu motion that “the Tsuen Wan District Council requested the SAR Government to immediately release the politically prosecuted protestors of the anti-extradition to China movement”. As she had already proposed another motion at this meeting, the aforesaid impromptu motion should be discussed under item 15. Besides, she hoped that the Government would address “Five Demands” mentioned in the paper from the Members and that “the Tsuen Wan District Council requested the SAR Government to immediately release the politically prosecuted protestors of the anti-extradition to China movement” would be put into record. She learnt from the responses of the Commissioner of Police that even though a number of solid evidences were presented to him, he still refused to acknowledge the serious problems of police officers making indiscriminate arrests and abusing power. Over the past six months, thousands of people had been politically prosecuted due to police brutality. She thus opined that an investigation should be conducted to do justice to the protestors.

136. The Vice Chairman moved a motion that “request the Government to establish the independent commission of inquiry for making comprehensive inquiry, conclusive summary cum review, and improvement proposal for a number of clashes between the police and the public and the cases concerned from 12 June 2019 till present, with a view to rebuilding police-public relation and restoring the public confidence in the Police”. Mr LAM Sek-tim seconded.

137. Mr TAM Hoi-pong proposed that an open ballot should be held. Members agreed to the proposal.

138. The Chairman asked Members to vote on the motion. The voting result was listed as follows:

For (16 votes in total)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr LUK Ling-chung, Antonio, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (0 vote in total)

Abstention (0 vote in total)

139. The Chairman declared that the motion was carried.

(Post-meeting note: The Secretariat conveyed the motion to the Office of the Chief Executive, SB and IPCC in writing on 17 February 2020.)

140. Mr TAM Hoi-pong moved a motion that “the Tsuen Wan District Council requests the Government to address the five demands, not one less, including the remaining demands, namely, on the matter of the protest not being a riot, on dropping charges against the arrested persons, on establishing the independent commission of inquiry for looking into the police brutality and on implementing dual universal suffrage”. Mr TSE Man-chak seconded.

141. Mr TAM Hoi-pong proposed that an open ballot should be held. Members agreed to the proposal.

142. The Chairman asked Members to vote on the motion. The voting result was listed as follows:

For (16 votes in total)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr LUK Ling-chung, Antonio, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (0 vote in total)

Abstention (0 vote in total)

143. The Chairman declared that the motion was carried.

(Post-meeting note: The Secretariat conveyed the motion to the Office of the Chief Executive, SB, Constitutional and Mainland Affairs Bureau and IPCC in writing on 17 February 2020.)

XIII Item 12: A Motion: Request the Government Departments Concerned to Explain and Follow Up on the Impact on the Use of Tear Gas Canisters by the Police

(TWDC Paper No. 11/2020)

144. The Chairman stated that Ms CHAN Kim-kam and Mr LAU Jackson submitted the paper. The representative from the department responsible for giving response was Mr CHAN Kwok-hung, Chief Health Inspector (Tsuen Wan) 1 of the FEHD. Besides, the written replies of the Food and Health Bureau (FHB), SB and MTRCL were tabled at the meeting.

145. Ms CHAN Kim-kam and Mr LAU Jackson introduced the paper.

146. Chief Health Inspector (Tsuen Wan) 1 of the FEHD responded as follows:
- (1) the FEHD was concerned about the safety and occupational safety and health arrangements for its employees (including the cleansing workers of the contractors). When chemical residues (such as tear gas) were found in the locations probably after the major public events, the staff of the FEHD or the contractor would deploy the cleansing workers to carry out their work by provision of the corresponding equipment such as face masks, rubber gloves, sleeves and non-slippery boots where the road conditions were deemed fit. The cleansing workers should put on respirators (N95 type or compatible), goggles and caps if considered necessary upon the risk assessment in order to handle the chemical residues safely. The FEHD would also brief the cleansing workers on the relevant information regularly according to the guidelines and ensure the sufficient stock of said equipment;
 - (2) the FEHD would remind the frontline cleansing workers not to use the high pressure hot water jets to wash the streets in order to avoid stirring up the chemical residues on the ground surface. They should also adjust the water pressure and water-spraying of the street cleaning vehicles for prevention of throwing up the chemical residues on the ground surface; and
 - (3) the FEHD had reminded the cleansing workers that they should not touch the dangerous goods which were found in the public areas and that they should report to the staff of the cleansing units of the respective district offices. The FEHD would make referral to the Police or relevant departments.

147. Mr LAI Man-fai said that there were adverse reactions of the body to the inhale of tear gas by some members of the public who sought medical consultations. The treatment was not effective because the medical practitioners who had no idea of the composition of the tear gas could only prescribe painkillers and anti-inflammatory drugs. He therefore requested the FHB to announce the composition of the tear gas upon the tests of the locally accredited laboratories and requested the Police to announce the composition of the tear gas for protection of the public health.

148. Mr YICK Shing-chung, Angus stated that he understood that the FEHD should not be solely held responsible for cleansing the tear gas residues. He also learnt that the FEHD did not make special arrangements for tear gas. He pointed out that after the procession on 25 August 2019 ended, the media reported that there were tear gas residues in Tsuen Wan Park. Over the past few months, members of the public got rashes after going past Tsuen Wan Park and the surrounding areas which were fired by the tear gas canisters. According to the prevailing mode of law enforcement of the Police, he suggested that the FEHD should study a special mechanism for the conduct of the cleansing work including the immediate cleansing and subsequent inspection work in the vicinity of the locations fired by tear gas canisters. He opined that a dangerous sign was noted because residues were found in Tsuen Wan Park while the tear gas canisters were fired at Yeung Uk Road. He was also worried that the private housing estates nearby were affected and the wind carrying the residues might blow to the vicinity of Hoi Bun and Belvedere

constituencies. He thus suggested that the FEHD should take preventive measures as early as possible to step up the relevant work.

149. Mr SHUM Lester said it was learnt that the contract or outsourced cleansing workers of the FEHD were not required to take up the work of handling the chemical wastes. He, however, requested the cleansing workers of the FEHD to assist in taking up the work because the residues of chemical wastes were currently found in the streets. He opined that if this type of dispersal actions persisted, the FEHD might consider carrying out the tender exercise to engage the workers who specialised in handling chemical wastes. He pointed out that it was difficult for the cleansing workers to get a clear idea of how to clear up the streets polluted by tear gas canisters or chemicals because they had never received any training on handling chemicals and the supervision and guidelines failed to serve the practical purposes. Some residents saw that as some cleansing workers swept the polluted streets by using sweepers straightly, the cleansing workers and passers-by coughed or felt unwell but the supervisory staff of the FEHD on the spot did not make any instructions accordingly. It showed that the FEHD did not provide sufficient protection, instructions, guidelines and trainings for its frontline staff.

150. Mr LAM Sek-tim stated that the FHB had indicated in its written reply that “the public should leave the area affected by tear gas immediately”. He opined that the FHB’s claim did not fit in the real situation where the public were likely to be besieged because the Police suddenly fired tear gas canisters and cordoned off various road sections during the protests. He had stayed near the wall in the MTR station of the location concerned to wait for his friends on the day following the Police firing tear gas canisters. After half an hour, his back felt severely burnt and painful. It showed that serious pollution might exist invisibly. Besides, the blue-coloured water was accidentally sprayed at the Kowloon Mosque earlier and the Police immediately assigned its officers to carry out the cleansing work for it. However, the Police did not carry out cleansing work after firing tear gas canisters in the vicinity of Yeung Uk Road including the market, private housing estates and shopping malls; instead the Police put the blame on others which was an irresponsible move. In his opinion, the Police created the problems but the FEHD was made a scapegoat for the complaints. He therefore suggested that the various departments should make every effort to safeguard the well-being for the residents.

151. Chief Health Inspector (Tsuen Wan) 1 of the FEHD responded as follows:
- (1) the FEHD took up its duty of street clearance and was not tasked to provide indicators for inspection of residues in public areas. Tsuen Wan Park was under the management of the LCSD. The LCSD would give response in due course to the inspection of residues in Tsuen Wan Park on 25 August 2019;
 - (2) the LCSD took up its duties of street clearance and street cleansing. Regarding the issue of priorities put forth by Members, the FEHD would make consideration prudently after conducting a review;
 - (3) the cleansing staff and cleansing contractors of the FEHD were not requested to touch the chemicals. The FEHD advised its staff on directly reporting to the FEHD when suspected chemicals were detected for referral to the relevant departments; and

- (4) the cleansing staff of the FEHD were not requested to handle the chemicals. They were reminded not to touch or move the chemicals. The staff were equipped with sufficient protective clothing and the low pressure water-spraying system was in use for prevention of throwing up the residues when carrying out the cleansing work.

152. District Leisure Manager (Tsuen Wan) of the LCSD responded as follows:

- (1) the LCSD considered that the cleansing work of Tsuen Wan Park should be stepped up after learning that some passers-by in Tsuen Wan Park suffered from rashes. To this end, the LCSD formulated the guidelines on handling of major public events which might affect the occupational safety and health of cleansing workers and venue staff;
- (2) as the wind carrying the chemical residues blew into the area of Tsuen Wan Park, the LCSD adopted the measures comparable to those of the FEHD, including provision of protective clothing for the cleansing staff, enhanced cleansing for its venues four times a day and intensive cleansing for the facilities such as the play equipment for children in Tsuen Wan Park according to the priority. The staff of the LCSD did not use high pressure water jet to carry out the cleansing work for prevention of throwing up the dust on ground surface; and
- (3) the cleansing work for drink fountains, fitness equipment for the elderly and handrails of the parks in the venues under the LCSD's management were also enhanced for public use.

153. Mr LAU Cheuk-yu stated that he had earlier assisted in clearing the tear gas residues from Yeung Uk Road Market and drawn the FEHD's attention in writing to the impact on food safety brought by the tear gas canisters and his proposal on conducting random checks. He expressed dissatisfaction on the FEHD's refusal to make arrangement for and follow up on his proposal in its reply. He thus enquired whether the FEHD could provide the updated figures of the random checks after the incident which happened several months ago.

154. Mr LUK Ling-chung, Antonio was concerned about the hygiene conditions of the play equipment for children in Tsuen Wan Park and he thanked the LCSD for its reply and dedication.

155. Mr TAM Hoi-pong supported the motion and said he had witnessed the Police firing tear gas canisters in the district for several times. He opined that the incident was attributed to the Police whom fired tear gas canisters arbitrarily; however, the dedicated department for community hygiene such as the FEHD should unfairly shoulder the responsibility of cleansing. He learnt that the cleansing workers might have received the respective training and enquired the FEHD about the difference in the cleansing equipment and manpower arrangement as provided and made by the FEHD in August 2019 and normal days. In addition, he pointed out that the quotation marks were put for the contents of the motion but the quotation marks were not found in the captioned motion. He thus enquired about the actual contents and scope of the captioned motion for Members' understanding and voting.

156. The Chairman stated that he would invite the Member who moved the motion to read out the contents of the motion before voting.

157. Mr CHIU Yan-loy said the Police did not assign its representative to give response to the captioned topic. In its written reply, the SB did not provide the information about the number of tear gas canisters fired by the Police in the district. He thought that it was difficult to follow up the impact on the community brought by the tear gas canisters. During August and October 2019, the Police had time and again fired tear gas canisters in the district. He could still detect the residue smell from the tear gas canisters when going past the surrounding areas of Lo Tak Court on the day following the tear gas canisters were fired. In addition, some residents relayed to him that the selling price of the food at the retail shops around Lo Tak Court would become lower after the Police fired the tear gas canisters in the vicinity of Yeung Uk Road Market. He therefore suggested that the FEHD should take samples for the tests and provide the figures for making an analysis as to whether the food from Yeung Uk Road Market was safe to human body.

158. Mr WONG Ka-wa enquired about the procedure of the use of tear gas canisters by the Police. He held that various government departments such as the FEHD and LCSO had established the simple working procedures. The police officers of the disciplined teams had never given prompt replies to the questions from the media about the number of tear gas canisters fired over the past few months and the post-incident replies were unreliable. He therefore suggested revising the contents of the motion by adding the words in relation to the procedures and numbers of tear gas canisters fired in Tsuen Wan district.

159. Chief Health Inspector (Tsuen Wan) 1 of the FEHD responded as follows:

- (1) the FEHD had provided a clear guideline on street cleansing by cleansing contractors and the cleansing contractors were required to provide sufficient personal protective clothing, equipment and safety training for their employees;
- (2) the FEHD would instruct its frontline staff not to touch any suspected dangerous goods or chemicals;
- (3) regarding the food safety concerns at Lo Tak Court and Yeung Uk Road Market, whether tear gas substances would affect food safety depended on a number of factors, such as the storage conditions of the food, the duration of exposure and concentration of tear gas, etc. According to the Codex Alimentarius Commission, which was the international leading authority, the standards for contaminants in food should be set only for those that present both a significant risk to public health and were known or expected to have problem in international trade. Currently, no assessment on the health impact of consuming food contaminated by tear gas was conducted by international food safety authorities and the relevant food safety risks were not mentioned in medical literature. It showed that there was no international standard of the impact on human body from the food contaminated by tear gas; and
- (4) the FEHD noted Members' proposal on conducting tests for the locations where tear gas residues were found.

160. Ms CHAN Kim-kam stated that although the FEHD had provided a number of working guidelines for its frontline staff, some trade unions representing the cleansing workers relayed to her that the frontline cleansing workers did not have a clear idea about the equipment as provided by the FEHD. In addition, some cleansing workers of ethnic minorities did not understand the Chinese language and it was difficult for them to grasp the relevant information from the instructions which were given in Chinese only. Moreover, she expressed regret over the SB for its failure to assign its staff to attend this meeting. In its reply, the SB mentioned that the Police would use minimum force when necessary and tear gas would not give rise to serious impacts and threats. She commented that the Police fired tear gas canisters when the crowds of people did not launch attacks. She also pointed out that the SB should address to and give account of the figures concerned.

161. Mr LAU Chi-hung said he had come across the situation of the Police firing the tear gas canisters. He opined that the tear gas canisters made in China were more poisonous than those made in the United Kingdom and the United States. He therefore suggested that the FEHD should conduct the tests in the community after learning about the figures from the Police.

162. Ms CHAN Kim-kam moved a motion that “I would like to move a motion to request the government departments concerned to explain to the public the information in respect of the current use of tear gas canisters by the Police as follows, including but not limited to

- I. Food and Health Bureau:
 - A. to release the laboratory reports of all composition of tear gas canisters tested by the accredited local laboratories;
 - B. to explain the potential impacts on human body brought by the tear gas canisters (including their composition and chemical residues);
- II. Security Bureau:
 - A. to explain the rules on the use of tear gas canisters by police officers;
 - B. to provide the dates, number, locations of and reasons for shooting tear gas canisters by the Police in Tsuen Wan district;

I would also like to request the government departments and public organisations concerned (including the MTR) to give a clear instruction on how to wash away the residues of tear gas canisters on the spots and the follow-up work after the Police shot the tear gas canisters, and to provide the inclusive protective measures for the workers and staff who provide cleansing service.” Mr Jackson LAU seconded.

163. Mr TAM Hoi-pong proposed an open ballot. Members agreed to the proposal.

164. The Chairman invited Members to vote on the motion. The voting result was listed as follows:

For (a total of 15 votes)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (a total of 0 vote)

Abstention (a total of 0 vote)

165. The Chairman declared that the motion was carried.

(Post-meeting note: The Secretariat conveyed the motion to the FHB, SB, FEHD and MTRCL in writing on 17 February 2020.)

XIV Item 13: Request for Stringent Law Enforcement of the Speeding and Modified “Loud-noise Vehicles” and Improvement of the Regulatory Control System

(TWDC Paper No. 12/2020)

166. The Chairman stated that Mr NG Hin-lung, Norris submitted the paper. The representative from the Transport Department (TD) responsible for giving response was Ms LUI Hiu-fai, Monica, Chief Transport Officer/NT South West. Besides, the written replies of the HKPF, EPD and TD were tabled at the meeting.

167. Mr NG Hin-lung, Norris introduced the paper.

168. Chief Transport Officer/NT South West of the TD responded as follows:

- (1) the TD had conducted the preliminary design work for the provision of speed enforcement cameras at the proposed locations near Phase 4, Crest Villa. The installation works would be completed as soon as possible and the detailed discussion about other proposed locations of the provision of speed enforcement cameras could be made after the meeting for further study by the engineers of the relevant departments; and
- (2) the TD, which was responsible for the vehicle examination, would tie in with the Police to conduct the blitz inspections of the “loud-noise vehicles”. Besides, the TD had set up a mechanism for public complaints about suspicious modified vehicles and issuance of vehicle examination orders to the vehicle owners concerned, whose vehicles were then required to undergo vehicle examination in the Government Vehicle Examination Centres at designated times. The TD would serve the vehicle repair order to the vehicle owners whose vehicles failed the examination. When these vehicles passed the examination after repair, the vehicle owners would be issued with the Certificate of Roadworthiness. Otherwise, the respective vehicle licence would be cancelled subject to the TD’s consideration.

169. Mr YICK Shing-chung, Angus was pleased to note that the TD had assigned a representative to attend the meeting for discussion of the captioned matter. He was disappointed that the Police had provided a written reply only. He enquired the TD about the number of vehicle licences which were cancelled due to modification in 2019. Besides, he agreed that Hong Kong was a densely populated city and therefore enquired whether the EPD’s standards were applicable to Hong Kong. He had put forth a proposal of installing speed enforcement cameras in Sham Tseng and Tsuen Wan at the meeting of the relevant committee under the TWDC of the previous term; however, the Police had turned down the proposal on the grounds that Tsuen Wan Road was bendy and the noises produced by “loud-noise vehicles” might not necessarily result from speeding. Currently, a speed enforcement camera was installed in the vicinity of Phase 3, Belvedere Garden but the road section between Tsuen Wan and Sham Tseng was devoid of such cameras. He thus proposed that the

TD should study the proposal of providing speed enforcement cameras or speed detectors and the EPD should consider amendments to the legislation. Apart from the examination conducted for imported vehicles, the EPD should also tackle the noise problem of vehicles running on the road. In his opinion, the HKPF failed to assign a representative to attend the meeting for discussion and it was an irresponsible practice. Also, he proposed that the Police should strengthen the law enforcement actions against the illegal acts concerned.

170. Mr CHIU Yan-loy said that Route Twisk was also a black spot of illegal road racing. In September 2018, a traffic accident happened in which a vehicle suspected of participating in illegal road racing crashed into a bus in service. Fortunately, there were no heavy casualties. Despite the TD's provision of several sets of traffic lights on Route Twisk over the past years, the participants of illegal road racing totally disregarded the traffic regulations, resulting in even greater potential risks. He thus suggested that additional speed detectors should be installed at the black spots of illegal road racing (e.g. Route Twisk which had many bends), so that the road design could preclude illegal road racing, thereby assuring the safety of residents.

171. Mr WONG Ka-wa said that he often drove past the road section between Tsuen Wan and Tuen Mun Road and there were five ramps. Hence, he would propose locations for provision of speed enforcement cameras to the TD after the meeting. Besides, he opined that some vehicles involved in illegal road racing did not exceed the speed limit but generated loud noises. As such, he proposed that the Police should intercept the modified vehicles on the spot. Apart from Tuen Mun Road, Lei Muk Shue Estate was also subject to loud noises produced by the illegally modified vehicles during late night. Therefore, he proposed that the Member should submit paper to the relevant committee for further discussion. He also proposed that the TD and Police should explore various feasible proposals respectively, with a view to stepping up the combat against the illegal acts.

172. Mr LAU Chi-hung felt disappointed that the EPD and HKPF did not assign representatives to discuss the captioned matter. He said that the residents of Ting Sham constituency were greatly disturbed by the noises generated from illegal road racing. He enquired about the number and locations of speed enforcement cameras installed by the TD near Phase 4, Crest Villa on Castle Peak Road (Tsing Lung Tau section). Besides, he held that only the modified vehicles would cause noise nuisance. The vehicular speed might not correlate with the level of noises generated. He asked the TD to provide further information about the vehicle reporting mechanism, including the number of reported cases, the number of cases in which vehicle examination orders were issued upon receipt of reports and the number of cases in which vehicle licences were cancelled. He opined that a review on the effectiveness of the mechanism should be conducted with reference to the aforesaid information.

173. Mr LAI Man-fai said that there was a very serious problem of noise nuisance caused by speeding and modified vehicles in the district. He found it hard to comprehend why the Police only issued 60 fixed penalty tickets and taken law enforcement actions against just two suspected modified vehicles in the fourth quarter of 2019. He thus proposed that the Police should step up efforts to combat the

unlawful activities concerned. Moreover, there was a very serious problem of speeding at Shek Wai Kok Road during nighttime. There were a ramp and two sets of traffic lights at the said location. After driving past the first set of traffic lights, many vehicles would jump the second set of traffic lights or brake abruptly, generating thunderous noises. It caused noise nuisance to the occupants nearby and hampered the safety of other road users. As such, he strongly requested that speed enforcement cameras should be provided at Shek Wai Kok Road.

174. Mr LAU Cheuk-yu thanked the Member for proposing a motion in respect of “loud-noise vehicles”. He pointed out that the residents of Discovery Park constituency were also affected by the “loud-noise vehicles” on Route Twisk. He thus proposed that the TD should study the installation of speed enforcement cameras at the location concerned. As a resident in Tsuen Wan West, he was disturbed by the noises generated from “loud-noise vehicles” every single night. Therefore, he proposed that the speed enforcement camera which was commonly known as “pigeon cage” should be installed on the flyover concerned to minimise the impacts on the residents.

175. Mr PUN Long-chung, Roy said that Luk Yeung constituency also faced the same problem because the “loud-noise vehicles” would travel past Wai Tsuen Road, roads around Tsuen Wan Ambulance Depot and Tsuen Kam Interchange before reaching Route Twisk. Although the Traffic New Territories South Regional Headquarters was in close proximity to the said locations, they just turned a blind eye to the many “loud-noise vehicles”, which would appear at about 10:00 p.m. every night and adversely affect the daily lives and sleep quality of the residents. Hence, he proposed that the Police and TD should pay attention to the situation. Besides, he opined that the Police’s enforcement figure in relation to “loud-noise vehicles” was too low. The Police should duly deploy manpower to take law enforcement actions.

176. Mr LUK Ling-chung, Antonio regretted that the EPD and HKPF did not assign representatives to discuss the captioned matter and answer Members’ enquiries. He pointed out that the straight section of Tsuen Wan Road stretched across Tsuen Wan South and Tsuen Wan West constituencies. There was a serious problem of illegal road racing from about 11:00 p.m. to about 5:00 a.m. on the next day, which gave rise to disturbed rest of the residents nearby. The affected area had extended from City Point to H Cube. Therefore, he proposed that the TD should follow up on the provision of speed detectors and the Police should increase the law enforcement operations to enhance the deterrence. Besides, he considered that the captioned matter was not a constituency-level issue; instead, it was a district-level issue which should be tackled across the entire Tsuen Wan district.

177. Mr TSE Man-chak said that the captioned matter reflected the speeding and noise problems in the district. Even when running at a moderate speed, the sports cars would also make tremendous noises along the roads near Belvedere Garden. He thus enquired about the EPD’s criteria for implementing the relevant measures, and the actual data on the current situation. He suggested that with reference to the practices adopted by countries around the world, the government departments should take novel measures such as the provision of speed enforcement cameras and noise detection cameras to solve the problem in the community.

178. Mr SHUM Lester said he believed that given the recent social circumstances where the number of police officers performing duty on the streets was smaller, the owners of “loud-noise vehicles” and participants of illegal road racing would seize the chance to engage in the said illegal activity. As many communities were troubled by the noise problem in the small hours, he had requested different government departments to take follow-up actions by phone and in writing. However, the situation had not been improved. He thus proposed that the government departments such as the TD and HKPF should strengthen patrol and law enforcement at the black spots concerned, in order to prevent the situation from deteriorating.

179. Ms CHAN Kim-kam regretted that the government departments concerned including the HKPF and SB had failed to assign representatives to join the meeting, which left her speechless. She said that the residents could hardly fall asleep because of the noises generated by the “loud-noise vehicles” along the flyover in Clague Garden constituency every night. She was dissatisfied that the HKPF, among other government departments, had passed its responsibility of tackling the “loud-noise vehicles” in the district onto others, just like what it did when referring tear gas-related hygiene issues to the FEHD and LCSD. In her opinion, the SB and HKPF failed to take law enforcement actions against “loud-noise vehicles”, speeding and modified vehicles, and other problems which had an impact on people’s livelihood. As such, she requested the departments concerned to take law enforcement actions stringently and seriously.

180. Chief Transport Officer/NT South West of the TD responded as follows:

- (1) the TD noted Members’ views, in particular the proposed locations of black spots and provision of speed enforcement cameras. The TD would relay Members’ views to the relevant departments for reference and study; and
- (2) in 2019, the TD issued 61 vehicle examination orders including those for the “loud-noise vehicles” upon receipt of complaints in Tsuen Wan district. The vehicles involved were required to undergo examination in accordance with the EPD’s prevailing noise standard prescribed upon first registration. Subsequently, the TD issued vehicle repair orders to 13 unsuccessful cases. As the vehicles of these cases passed the examination after repair, their vehicle licences were not cancelled.

181. The Chairman stated that while the Member who submitted the paper could make supplementary remarks once, other Members could speak once for each agenda item at the meeting. Moreover, he pointed out the EPD’s and HKPF’s failure to assign representatives to attend the meeting for discussion of the captioned matter. He proposed that the Police should step up the law enforcement actions against illegal road racing and the associated noise problem in Tsuen Wan district. In addition, he received an impromptu motion relating to the captioned matter from Mr NG Hin-lung, Norris. He reminded Members that any Member who wished to move a motion was required to give ten clear working days’ notice in advance of a forthcoming meeting. He gave his discretionary approval for the impromptu motion, but would refuse to immediately handle any matter which had no urgency for discussion in the future.

182. Mr NG Hin-lung, Norris said that Members had illustrated the impacts of “loud-noise vehicles” on various aspects. He also opined that the HKPF, TD and EPD should duly perform their duties to address the problems concerned. He understood that as there were many items on the agenda of TWDC meeting, it might not be possible to discuss the captioned matter in depth. Hence, he suggested that the captioned matter should be included under the Matters Arising from the Minutes of the Previous Meeting for discussion at the meetings of the relevant committee. Also, he requested the HKPF and EPD to provide the related information and give response accordingly.

183. Mr TAM Hoi-pong said he agreed that the Member should propose the impromptu motion in relation to the captioned matter. He learnt that a number of DCs allowed the district councillors to propose impromptu motions at the meetings. As it was the first time for Members to propose impromptu motions at the TWDC meeting, he enquired whether this practice would be adopted in the future. He opined that except for impromptu motions put forth under special circumstances (e.g. the visits of the heads of government departments to the TWDC), other impromptu motions should be treated equally and fairly at full council meetings.

184. The Chairman stated that the practice of proposing impromptu motion at the meeting might be unfair to Members who moved a motion according to the rules by giving ten clear working days’ notice in advance of a forthcoming meeting. In his opinion, an across-the-board approach might lack the flexibility needed for handling similar situations in the future. Hence, he suggested that he should take up the gate-keeping role in considering and determining whether to accept an impromptu motion for handling subject to its urgency.

185. Mr CHIU Yan-loy said that some impromptu motions were proposed out of urgency. Hence, he opined that impromptu motions should be handled according to actual circumstances, not under an across-the-board approach.

186. Mr WONG Ka-wa agreed to the approach where the Chairman would make a decision on and approve impromptu motions.

187. Mr SHUM Lester said that the approaches and principles for handling future impromptu motions could be decided according to their nature. In his opinion, it might give rise to unfairness if an impromptu motion proposed by a Member involving addition/deletion of agenda items or more complicated discussions was approved. On the other hand, he opined that Members should decide whether to propose an impromptu motion according to the urgency and needs after taking into account the discussions and departmental responses given at the meeting.

188. The Chairman stated that he would exercise discretion in handling the present impromptu motion. He also reminded Members to submit their motions, if any, together with their papers in the future.

189. Mr NG Hin-lung, Norris moved an impromptu motion that “the Tsuen Wan District Council reprimands the Police for its failure to combat the speeding and modified ‘loud-noise vehicles’ and requests the Police to take stringent law enforcement against these vehicles as well as report to the Tsuen Wan District Council regularly”. Mr LAU Chi-hung seconded.

190. Mr TAM Hoi-pong commented that this impromptu motion was not urgent. He understood that the problem of “loud-noise vehicles” was particularly serious in certain constituencies. However, he was worried that if objective criteria were not drawn up, Members might have mixed views on the urgency of an impromptu motion in the future. This situation might also happen at committee meetings. Also, he pointed out that if a Member who had moved an impromptu motion at the meeting could not second other motions, some motions might fail to be endorsed.

191. The Chairman asked Members to vote on the impromptu motion concerned. After voting, the impromptu motion was endorsed with a vote of 16 in favour, 0 against and 2 abstention.

(Post-meeting note: The Secretariat conveyed the motion to the HKPF in writing on 20 February 2020.)

XV Item 14: A Motion of Establishment of the “Task Force on Community Safety and Monitoring of Police Power”
(TWDC Paper No. 13/2020)

192. The Chairman said that Mr CHIU Yan-loy and Mr PUN Long-chung, Roy submitted the paper.

193. Mr CHIU Yan-loy and Mr PUN Long-chung, Roy introduced the paper.

194. The Secretary stated that the Secretariat had not received the reply from the Department of Justice (DoJ) prior to the meeting. Members could first resolve on the establishment of the proposed Task Force on Community Safety and Monitoring of Police Power. If the terms of reference of the Task Force did not comply with the provisions of the District Councils Ordinance (Chapter 547), the Secretariat would not be able to provide administrative support service according to the Standing Orders.

195. Mr CHIU Yan-loy thought that the TWDC could establish the said Task Force first before the reply from the DoJ was received. He put forth a fallback plan that the Task Force could be renamed as the “Concern Group on Community Safety and Police Power (subject to the advice from the DoJ that monitoring of police was not allowed)”, in case the terms of reference of the Task Force did not comply with the provisions of the District Councils Ordinance (Chapter 547) and the monitoring of police was not allowed subject to the advice from the DoJ.

196. Mr TAM Hoi-pong enquired whether the Task Force could be named as the “Task Force on Community Safety and Monitoring of Police Power” and when the DoJ would give a reply. He also requested the Secretariat to assist in urging the DoJ to give a reply so as to facilitate the discussion on the terms of reference of the Task Force.

197. The Chairman held that the establishment of the Task Force should be resolved first and discussion could be made after the reply from the DoJ was received. The Task Force could be named as the “Task Force on Community Safety and Monitoring of Police Power”.

198. The Secretary stated that the Secretariat would continue to communicate and liaise with the DoJ. Members could first resolve on the establishment of the Task Force and make discussion after the reply from the DoJ was received.

199. Mr TAM Hoi-pong proposed that an open ballot should be held. Members agreed to the proposal.

200. The Chairman asked Members to vote on the establishment of the “Task Force on Community Safety and Monitoring of Police Power”. The voting result was listed as follows:

For (16 votes in total)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr LUK Ling-chung, Antonio, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (0 vote in total)

Abstention (0 vote in total)

201. The Chairman announced the endorsement of the establishment of the “Task Force on Community Safety and Monitoring of Police Power”.

202. Members expressed their intentions to join the above Task Force by a show of hands. The membership list of the above Task Force was set out in Annex II.

(Post-meeting note: The Secretariat invited the Members who did not join the Task Force at this meeting to join the Task Force in writing on 24 January 2020.)

203. Mr LAU Cheuk-yu proposed that Mr SHUM Lester should take up the Convenor of the Task Force. Members unanimously endorsed the proposal.

XVI Item 16: Request for Follow-up on the Progress and the Way Forward of Tsuen Wan Harbourfront Enhancement
(TWDC Paper No. 15/2020)

204. The Chairman asked the Vice Chairman to take over the chair.

205. The Acting Chairman stated that Mr YICK Shing-chung, Angus submitted the paper. The representatives from the policy bureau and department responsible for giving response were:

- (1) Mr LAI Henry, Assistant Secretary (Harbour)¹, Development Bureau (DEVB);

- (2) Mr LAM Sam-ching, Joe, Senior Project Manager 337, Architectural Services Department (Arch SD); and
- (3) Mr CHUNG Pui-shun, Chris, Project Manager 382, Arch SD.

Besides, the written reply of the DEVB was tabled at the meeting.

206. Mr YICK Shing-chung, Angus introduced the paper.

207. Assistant Secretary (Harbour)¹ of the DEVB responded as follows:

- (1) in January 2017, the Government announced that \$500 million had been earmarked for the first stage for taking forward harbourfront development. Upon approval of the Harbourfront Commission (the “Commission”), the aforesaid allocation was used to implement six harbourfront enhancement projects including the Tsuen Wan Harbourfront Enhancement Phase I;
- (2) in considering whether the project concerned should be taken forward, the Commission had drawn reference from the on-site inspection at Tsuen Wan harbourfront and the views exchanged with the TWDC in May 2014, as well as Members’ views and demands in respect of Tsuen Wan harbourfront enhancement lodged at the 3rd meeting of the Coastal Affairs Committee (CAC) under the TWDC of last term in May 2016. Besides, the Harbour Office (HO) had assigned its staff to brief Members on the project at the CAC meeting on 7 July 2017;
- (3) the construction area of Tsuen Wan Harbourfront Enhancement Phase I covered a promenade about 700 metres in length outside Hoi On Road. As proposed by the DEVB at the CAC meeting on 7 July 2017, the project should be taken forward as a quick-win project through the funding of minor works. It aimed to face-lift a section of the Hoi On Road promenade in an expedited manner for early public enjoyment;
- (4) considering the sloping design of certain parts of the existing seawall along the aforementioned promenade, the original railings of the sections above those parts would be replaced with low curbs with a view to creating a fence-free promenade and bringing people closer to the water. This design was also adopted by the Art Park in the West Kowloon Cultural District. It was well received by the users;
- (5) apart from the provision of textiles-themed seating and pergolas which highlighted the history of textile industry of the district, the construction works also included the removal of plastic fences beside the planters to vacate the area for the installation of seating so as to create more sitting area for public appreciation and enjoyment of the harbourfront;
- (6) the HO under the DEVB had all along been maintaining close liaison with the last-term TWDC in respect of the construction details and attaching emphasis to public engagement which was one of the key principles of harbour planning. Apart from the aforesaid meetings, the HO had also sent its staff to attend the “Tsuen Wan Promenade Placemaking” activity co-organised by the Working Group on Management of Facilities in the Coastal Area under the CAC and the Hong Kong Public Space Initiative in January 2017. Besides, the representatives of the CAC had exchanged views on the development of Tsuen Wan harbourfront with the Task Force on Harbourfront

Developments in Kowloon, Tsuen Wan and Kwai Tsing (the “Task Force”) under the Commission at the meeting of the Task Force in May 2017. Subsequently, the HO, together with the TWDC and the Task Force, had drawn up a design concept tailored for the said promenade in Tsuen Wan which highlighted the special features of the district by further adopting the place-making approach and conducting on-site inspections. The HO had also invited two young planners from the Hong Kong Institute of Planners to provide advice and assistance in the place-making work. The HO had reported on the work progress and further solicited the TWDC’s views at the TWDC meeting held in March 2018;

- (7) the design outline of the project had gained support from the Task Force and the CAC in October and November 2018 respectively. The first construction works of 120-metre-long harbourfront in front of Serenade Cove had commenced in the first quarter of 2019. It had been completed and open for public enjoyment in the third quarter of 2019. During the construction period, the DEVB had maintained close liaison with the district councillor of the constituency and conducted several on-site inspections. Also, the DEVB had reported on the works progress to the CAC in May 2019. It was anticipated that the remaining construction works would be completed at the end of 2020;
- (8) regarding Members’ enquiry about dovetailing the construction works of harbourfront enhancement with the construction of the cycle track, the aforesaid promenade was outside the works area of the cycle track project, which was initiated at an earlier time, and so had to be enhanced under the Tsuen Wan Harbourfront Enhancement. Nevertheless, the construction works of Tsuen Wan Harbourfront Enhancement had to be taken forward in tandem with the construction works of the cycle track in a coordinated manner so as to shorten the overall construction period of the two projects and minimise the impact on the public. This would also ensure that a pedestrian walkway to the south of Hoi On Road was provided for public use during the construction period to maintain the accessibility of the harbourfront;
- (9) a provision of \$6 billion was allocated for nine signature projects of harbourfront enhancement in the 2019-20 Budget and the Tsuen Wan Harbourfront Enhancement Phase II was one of these projects. The construction works included the enhancement of about 1.2 hectares of promenade at the junction of Hoi On Road and Hoi Hing Road. The DEVB had carried out the public engagement and place-making activities in 2019. For instance, during the dragon boat race in Tsuen Wan district in May 2019, the DEVB organised an activity at the promenade concerned to find out the public’s views on the spot. The DEVB was currently conducting the preparatory work for Tsuen Wan Harbourfront Enhancement Phase II and would arrange its staff to visit the TWDC again to solicit Members’ views when the specific proposal was available; and
- (10) apart from reporting to the TWDC, the DEVB had also been reporting to the Commission on the design and works progress of the Tsuen Wan Harbourfront Enhancement. The relevant information had been uploaded to the Commission’s webpage.

208. Mr LAU Cheuk-yu said he and some local residents shared the view that the design and facilities of Tsuen Wan Harbourfront Enhancement Phase I were not aesthetically pleasing. He noted that the theme of the project was textiles. He was also aware that the DEVB was dedicated to implementing the project. However, as the theme was relatively abstract, the DEVB should proactively explain it to the public, so that the theme could be conveyed through the design and relate to Tsuen Wan. Moreover, the residents who went jogging at the location concerned were affected by the construction works. He hoped that the problem would be solved as soon as possible.

209. Mr WONG Ka-wa said that as there were a number of new Members in the current DC term, he hoped that the departments concerned would brief new Members on the work completed and in progress as well as provide them with the details of the works after the meeting. Also, Members could submit papers for further discussion when the relevant committee resumed operation, upon which the departments concerned could provide the details such as 3D rendered drawings and timetables to give an account of the works progress in detail. Noting the substantial construction cost of Tsuen Wan Harbourfront Enhancement Phase II and hoping that the public would appreciate the environment so created, he proposed that the transparency of the construction works should be further enhanced.

210. Mr TSE Man-chak enquired whether the total length of promenade covered by the Tsuen Wan Harbourfront Enhancement Phase I was 700 metres and the construction cost was \$29.5 million and enquired about the actual items under the entire project. He learnt from the paper that the Tsuen Wan Harbourfront Enhancement Phase I mainly involved the provision of railings and seating. He believed that many people in his constituency had doubts about a project which involved only the provision of railings and seating along a promenade less than 1 kilometre in length but surprisingly incurred a construction cost as high as \$30 million. He thus enquired about the breakdown of the construction cost and information which could be made available to Members.

211. Mr YICK Shing-chung, Angus enquired why the construction cost of Tsuen Wan Harbourfront Enhancement Phase I, which only covered a 700-metre-long promenade, was as high as \$30 million, and asked for a breakdown of the construction cost. He pointed out that eight lamp posts and wooden railings had already been installed at the construction area and enquired about the actual cost. In his opinion, the departments were dedicated to serving the community and had studied and explored the project at other meetings. The work attitude of the departments was commendable. However, comments on the enhancement works were that they were mediocre, e.g. the outlook of the facilities was unattractive. He and other Members had tried the seats themselves but found that they were uncomfortable due to their design. If he requested an adjustment to the seating, an additional cost would be incurred. He thus opined that the funding for this project should be put into more effective use. The public would be pleased to see the Government meeting the requirements as set out in the paper and Members' efforts made at the meetings paying off. However, the current outcome of the project was unsatisfactory. Before the meeting, he had gone through the documents of the 38 meetings of the

Commission on its webpage. However, he found the documents brief and therefore requested further details, e.g. the construction details of the lamp posts. As a new DC Member, he wished to obtain more detailed information for a better understanding.

212. Mr NG Hin-lung, Norris said that the DEVB had given a detailed introduction of the Tsuen Wan Harbourfront Enhancement at the meeting of the TWDC of last term. He was also pleased to note that the representative of the DEVB attended this meeting to give response. In his opinion, the introduction given at this meeting lacked visual information. He said that the DEVB should use simple graphics to help illustrate the number of construction phases, the works area, the construction works completed and in progress, and when the major construction works commenced. He also suggested that the DEVB should report on the status of Tsuen Wan Harbourfront Enhancement Phase I by using photographs, so that Members could better grasp the construction details. He opined that the DEVB should provide Members with the works scheme of Tsuen Wan Harbourfront Enhancement after the meeting for a better understanding of the works. Regarding the design, he had pointed out that the seating and design concept were impracticable either at the meeting of the last-term TWDC or during on-site inspection; however, the DEVB expeditiously took forward the Tsuen Wan Harbourfront Enhancement as a quick-win project. In his opinion, the best solution was that the DEVB should conduct an on-site inspection with new-term Members and listen to their views on the construction works so that the contractor could be engaged to carry out improvement works where necessary. Moreover, he noted that the venue of dragon boat races was the critical part of Tsuen Wan Harbourfront Enhancement because the DEVB had allocated the largest proportion of funding to the construction works at the race venue and equipped the venue with ancillary facilities to the fullest extent. In addition, the TWDC of last term likewise disapproved of a top-down approach to implementing the enhancement works, holding that the public should be fully engaged in the project and facilities should be provided to meet district needs instead. Although the TWDC suspended operation during the election in 2019, the DEVB should in future provide updates on how the public and the TWDC could engage in the Tsuen Wan Harbourfront Enhancement. As it was a signature project, the DEVB should give an account of how the construction works would be carried out, the construction cost and its breakdown so as to give Members a better insight into the use of funding for the project.

213. Assistant Secretary (Harbour)¹ of the DEVB responded as follows:

- (1) the Tsuen Wan Harbourfront Enhancement Phase I covered a works area of 8 300 square metres. The cost per square metre was lower than that of the construction works for other open spaces;
- (2) the first stage of Tsuen Wan Harbourfront Enhancement Phase I had already been completed. The DEVB would be happy to conduct an on-site inspection with the district councillor of the constituency after the meeting to brief them on the construction details on the spot;
- (3) the DEVB attached importance to the design of the harbourfront with a view to making it both enjoyable and suitable for public use. The design concerned had also been endorsed by the Commission. The Commission's membership comprised representatives nominated by professional groups such as the Hong Kong Institute of Architects, the

Hong Kong Institute of Landscape Architects and the Hong Kong Institute of Planners, who were particularly concerned with designs and also valued a design that was suitable for public use and enjoyment of the harbourfront. The DEVB would continue to exchange views with Members. Besides, the online information of the Commission and the papers submitted to the TWDC by the DEVB in the past were open information. The DEVB would provide Members with the aforesaid information for further reference after the meeting;

- (4) the DEVB would make effective use of the project funding. One-sixth of the construction works of Tsuen Wan Harbourfront Enhancement Phase I had been completed. Apart from the replacement of seating and removal of railings, the construction works included the reprovision of pergolas and other facilities, resurfacing, and replacement of paving slabs with those which had a lighter colour and better cooling effect; and
- (5) the DEVB attached great importance to the Tsuen Wan Harbourfront Enhancement Phase II and had conducted a public engagement activity. The DEVB was currently collating the public's views collected at the said activity and consolidating those collected during past public engagement activities at the location concerned with a view to studying the developmental constraints of the harbourfront and facilities suitable for the location concerned. The DEVB wished to draw up a proposal which could facilitate discussion and would solicit the TWDC's views again when the proposal was available.

214. The Acting Chairman asked the DEVB to arrange an on-site inspection with the district councillor of the constituency and the Secretariat. He invited interested Members to join the on-site inspection and give views on the Tsuen Wan Harbourfront Enhancement.

215. The Chairman resumed the chair.

XVII Item 17: "Request for Provision of Lennon Walls or Tsuen Wan District Council Infostation in Tsuen Wan District"
(TWDC Paper No. 16/2020)

216. The Chairman stated that Mr WONG Ka-wa and Mr LAU Cheuk-yu submitted the paper. The representatives from the departments responsible for giving response were:

- (1) Miss LO Pui-yiu, Sapphire, District Lands Officer (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department (LandsD); and
- (2) Mrs TANG FUNG Shuk-yin, Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan), Housing Department (HD).

Besides, the written replies of the HKPF and HyD were tabled at the meeting.

217. Mr WONG Ka-wa and Mr LAU Cheuk-yu introduced the paper.

218. District Lands Officer (District Lands Office, Tsuen Wan and Kwai Tsing) of the LandsD responded as follows:

- (1) the LandsD noted Members' views on provision of Lennon Walls at the existing footbridges and other locations;

- (2) the functions of the LandsD included making arrangements and land allocations in response to the departments' requests on land for the construction works of facilities. For instance, when the DCs requested for provision of rain shelters, benches, notice boards or other beautification facilities in the districts via the respective District Offices (DOs), the LandsD would tie in with the requests and arranged allocation and clearance of land for smooth implementation of the construction works;
- (3) at present, most of the rain shelters in Tsuen Wan district were under the management of the TWDO and HyD. Regarding the proposal on provision of plastic panels at rain shelters, advice from the relevant departments responsible for repair and maintenance should first be sought, and the installation of the plastic panels was subject to financial considerations and successful coordination. Also, as the existing rain shelters were set up on pedestrian walkways, it was suggested that the departments concerned should conduct a review on the location for installation of plastic panels to avoid obstructing the view of pedestrians and motorists; and
- (4) the DCs could make an application for allocation of land for provision of the facilities concerned to the LandsD through the respective DOs. After receiving the application, the LandsD would seek views from various departments and conduct extensive consultations at the district level with the aid of the respective DOs when necessary.

219. Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan) of the HD responded as follows:

- (1) on management of public rental housing, the HD accorded priority to the provision of a safe, clean and quiet living environment for the tenants;
- (2) currently, the HD designated spots at lobbies and public areas of residential blocks of public housing estates as locations for displaying publicity material. These served as platforms for Members of the Legislative Council (LegCo) or DCs, local residents' organisations or non-government organisations to disseminate information about their relevant services, activities and issues of public concern;
- (3) owing to the limited space for displaying publicity material in public housing estates, the HD had stipulated the code of use of the display spots to ensure that Members of the LegCo and DCs and the organisations had an opportunity to disseminate information, with a view to achieving the original purpose of provision of display platforms, i.e. to enable the tenants to obtain services and information they needed. To prevent users of display platforms in a district from attacking each other, the contents of the publicity materials were required to be free of messages that were unlawful, obscene, defamatory or insinuating, or which criticised or denounced individual persons/parties. In general, the HD would give its approval for material on display which met these conditions; and
- (4) having regard to the above considerations, the HD would not consider providing designated display spots for display of publicity materials for which prior approval had not been granted.

220. Mr CHIU Yan-loy supported the motion. He said that Lennon Wall could serve as a public platform for expression of opinions. The TWDC had created murals at various sites in the district, e.g. the interior of the pedestrian subway between Lo Tak Court and Tai Ho Road, in order to make effective use of the facilities for beautifying the environment. He proposed that Lennon Walls should be provided at suitable locations by making similar administrative arrangements and through the communication mechanism among the departments. Besides, he proposed that the TWDC should provide public space for expression of opinions by people of different stances, where Members could collect opinions from the local community.

221. Mr LAI Man-fai said that some people skirmished at the Lennon Wall in Lei Muk Shue Estate on 8 January 2020. He headed to the scene to learn about the incident immediately after receiving the request for assistance from the residents that day. In his opinion, the provision of official Lennon Walls was necessary. Besides, he opined that in the evening on 8 January 2020, the Police enforced the law unfairly and gave favour to the mobs pointing weapons at the residents who expressed opinions peacefully. He had issued letters to the Estate Offices of Cheung Shan Estate and Shek Wai Kok Estate requesting the HD to set up information boards in the public housing estates for tenants to express opinions. However, he had received a reply from the HD that there was no relevant policy. He pointed out that Lennon Wall became popular in Hong Kong since the incident of opposition to the proposed legislative amendments in 2019. He proposed that the HD should, in view of the changing social circumstances, formulate policy which kept abreast with the times.

222. Mr LUK Ling-chung, Antonio said that the residents in the district had appealed for provision of local Lennon Walls at locations such as Princess Alexandra Community Centre. He suggested that the representative from the HD should convey such an appeal to the senior management and requested them to draw up policy from new perspectives with a view to putting an end to the confrontation among people holding different political views. It could also assure safe expression of opinions through the Lennon Walls and resolve social conflicts, thereby preventing recurrences of the skirmish on 8 January 2020 and the incident of young people being kettled by anti-riot police officers at the Lennon Wall next to Discovery Park on 17 January 2020.

223. Mr TSE Man-chak said that today people from all walks of life had a need for channels for expression of opinions. The provision of Lennon Walls for use by all members of the public was a manifestation of civic engagement. He opined that overall, the expression of public opinions at officially designated sites was conducive to social stability. Hence, he advised various government departments to consider the proposal of provision of Lennon Wall carefully.

224. Mr TAM Hoi-pong supported the provision of sites for expression of opinions by residents. He was concerned about how this could be implemented. He said, for example, a working group should be set up to have meetings with the departments and consider the suitability of sites for provision of Lennon Walls according to the Government's response on the proposed facility. Currently, there were Lennon Walls near Discovery Park and beneath the flyover in Ma Wan. These

sites were managed by the HyD. He proposed that the departments concerned should study the legalisation and regularisation of Lennon Wall. He also suggested that a Lennon Wall should be set up inside Sai Lau Kok Garden.

225. Ms CHAN Kim-kam said that Lennon Wall symbolised the civil rights of expression of opinions and political demands enjoyed by the public. She proposed that permanent Lennon Walls should be set up to collect divergent views from the public and protect people's freedoms and fundamental rights. Besides, she proposed that upon the confirmation of provision of Lennon Walls, consideration should be given to imposing restrictions on the Police's enforcement power at the Lennon Walls. The TWDC should take up the surveillance role to protect people who posted materials on the Lennon Walls.

226. Mr LAM Sek-tim opined that Lennon Walls should be set up to provide space for expression of public demands and it was a very simple measure. He pointed out that in the past, TSANG Tsou-choi, commonly known as the "King of Kowloon", used to draw graffiti on the streets. His work was currently under protection for public appreciation at Tsim Sha Tsui Ferry Pier. Besides, he said that many residents had difficulty approaching the District Councillors by appointment to express their opinions because of a busy life, and constraints due to their identities or other reasons. Therefore, he opined that the provision of Lennon Wall could serve as a public channel for expression of opinions and revelation of blunders made by the Government.

227. Mr LAU Chi-hung opined that Lennon Wall not only functioned as a platform for expression of public opinion, but also served as a public space for showcasing culture, arts and creativity. It was a very positive and important facility. He thus proposed that the Government should conduct a review accordingly and formulate policy which kept abreast of the times. As Tsuen Wan had been hailed as the "City of Bridges", he proposed that Lennon Walls should be set up on footbridges to facilitate the exchange of information in the community. The cultural, artistic and creative works on the Lennon Walls could also enhance the vibrancy of the community.

228. Mr YICK Shing-chung, Angus said that in response to the social incidents in recent years, the public put their thoughts on paper and created notice boards for expression of opinions. Such notice boards could develop into a facility irrelevant to politics in the long run. Moreover, he understood that the HD might encounter restrictions on management with respect to the provision of the facility concerned. Currently, some Members lent their roadside banner spots to the tenants for setting up message boards for expression of opinions. This had not caused any cleaning problem. He thus suggested that some space of the information boards should be reserved for tenants to express their views on livelihood issues, subject to the existing mechanism of replacing posters on the information boards every ten days. Besides, he proposed that the Headquarters of HD should explore the feasibility of setting up official Lennon Walls to satisfy tenants' need to express opinions.

229. Mr LAU Jackson suggested retaining the existing Lennon Walls or providing new Lennon Walls through the funding of minor works. He also enquired how the

LandsD would tie in with the said proposals. Moreover, he pointed out the presence of police officers to protect FEHD staff during the latter's clearance work for Lennon Walls, and enquired which department was responsible for that arrangement. In addition, he said that certain people cleared the materials on Lennon Walls during nighttime and left behind a substantial amount of paper waste on the ground afterwards. They even painted the walls with cooking oil to prevent further posting. As such, he enquired about how the departments concerned would step up enforcement action.

230. Mr WONG Ka-wa said he understood that the relevant departments were concerned about the risk of physical injury their staff faced during Lennon Wall clearance. Also, it became increasingly difficult to clear the materials on some Lennon Walls due to their gradual growth in size. Therefore, he suggested that Lennon Walls in appropriate sizes should be set up at suitable locations so as to facilitate law enforcement actions by the departments concerned. It could also minimise instances of people being threatened or arrested at Lennon Walls.

231. The Chairman opined that there were many problems associated with Lennon Walls because no government department took up their management at present. He reminded the HD and relevant departments that the clearance work for Lennon Walls should be conducted by staff of the departments concerned rather than members of the public, whose self-initiated clearance action could lead to conflicts. In his opinion, the provision of official Lennon Walls for the public to post their opinions at will could prevent conflicts. Hence, he suggested that the departments concerned should consider his proposal seriously.

232. Chief Health Inspector 1 (Tsuen Wan) of the FEHD responded that the FEHD was concerned about the serious environmental hygiene problems arising from the Lennon Walls. Besides, the FEHD would endeavour to carry out clearance work through joint operations in the presence of police officers in the periods of lower pedestrian flow in view of potential conflicts during the clearance work.

233. District Lands Officer (District Lands Office, Tsuen Wan and Kwai Tsing) of the LandsD responded as follows:

- (1) the TWDC could utilise resources according to a priority list to address the public's opinions, e.g. providing benches, arbours, notice boards, rain shelters and new infostations through funding minor works. Upon receiving an application for land allocation, the LandsD would seek views from the departments concerned and allocate land based on the request for land for the construction works; and
- (2) regarding the proposal for providing infostations or Lennon Walls at existing facilities (e.g. on footbridges or inside public housing estates), these facilities were currently under the management of the HyD, TD and HD. Therefore, the feasibility of posting materials on the walls of the facilities should be considered by the departments responsible for their repair, maintenance and management. The TWDO could also play its role of district administration and give advice on identifying suitable sites.

234. Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan) of the HD noted Members' views. The opinions of the tenants of public housing estates would also be taken into consideration.

235. Mr WONG Ka-wa moved the motion that "request for provision of Lennon Walls or Tsuen Wan District Council Infostation in Tsuen Wan district". Mr LAU Cheuk-yu seconded.

236. The Chairman asked whether Members would like to propose amendments to the motion. No Members proposed amendments to the motion.

237. Mr LAI Man-fai proposed that an open ballot should be held. Members unanimously agreed to the proposal.

238. The Chairman asked Members to vote on the motion. The voting result was listed as follows:

For (16 votes in total)

The Vice Chairman, Mr NG Hin-lung, Norris, Mr SHUM Lester, Mr YICK Shing-chung, Angus, Mr LAM Sek-tim, Ms CHAN Kim-kam, Mr LUK Ling-chung, Antonio, Mr WONG Ka-wa, Mr CHIU Yan-loy, Mr LAU Chi-hung, Mr LAU Cheuk-yu, Mr PUN Long-chung, Roy, Mr LAU Jackson, Mr LAI Man-fai, Mr TSE Man-chak and Mr TAM Hoi-pong

Against (0 vote in total)

Abstention (0 vote in total)

239. The Chairman announced that the motion was carried.

240. Mr WONG Ka-wa suggested that the Secretariat should collect Members' views on suitable sites for provision of Lennon Walls for follow-up by the government departments concerned.

241. Mr TAM Hoi-pong enquired about the further discussion and follow-up on the captioned matter.

242. The Chairman proposed that the Member concerned should take the lead to follow up on the captioned matter or discuss it at the meetings of the relevant committee. Also, he suggested that Members should proactively provide suitable sites to the Secretariat.

(Post-meeting note: The Secretariat conveyed the motion to the HyD, LandsD, HD and HKPF in writing on 17 February 2020.)

XVIII Item 18: A Motion of Discussion of the Hygiene and Disease Prevention Arrangements of Wuhan Pneumonia (now “COVID-19”) Outbreak of Late at Tsuen Wan District Council
(TWDC Paper No. 17/2020)

243. The Chairman stated that Mr SHUM Lester submitted the paper. The representative from the MTRCL responsible for giving response was Mr CHAN Yiu-chung, Jacky, Assistant Public Relations Manager – External Affairs of the MTRCL. Besides, the written replies of the Transport and Housing Bureau (THB) and Immigration Department (ImmD) and the joint written reply of the FHB, Department of Health (DH) and Hospital Authority were tabled at the meeting.

244. Mr SHUM Lester introduced the paper.

245. Assistant Public Relations Manager – External Affairs of the MTRCL responded as follows:

- (1) all along, the MTRCL had been keeping in view the situation and development of the COVID-19 epidemic and maintaining close liaison with the government departments and Mainland railway authorities in respect of the prevention and hygiene measures against communicable diseases;
- (2) the MTRCL had enhanced the cleansing and disinfection work at Hong Kong West Kowloon Station, the train compartments of the High Speed Rail (Hong Kong Section) operated by the MTRCL as well as all the stations and train compartments of the MTRCL railway network, including cleansing the facilities with which passengers were in frequent contact at the stations and train compartments (e.g. onboard facilities as well as escalators, lifts and ticket issuing machines at stations) using 1:99 diluted bleach;
- (3) currently, two high-speed rail trains travelled to Hong Kong West Kowloon Station via Wuhan every day. The staff of MTRCL would cleanse the facilities with which passengers were in frequent contact (e.g. escalators and lifts) using 1:49 diluted bleach every two hours upon arrival of the trains concerned. The MTRCL had also provided hand sanitiser and masks for use by passengers in need at the platform. Starting from 6 January 2020, the Government had imposed body temperature checks for all passengers of the two inbound trains concerned with a view to enhancing the disease prevention work. Besides, the two high-speed rail trains travelling via Wuhan were provided by the Mainland railway authorities. The MTRCL had not been notified of any adjustment to the train services at the moment; and
- (4) the MTRCL would keep in view the developments of the epidemic and continue to conduct risk assessments accordingly. The MTRCL would also tie in with the anti-epidemic efforts of the relevant government departments and further enhance the cleansing and disinfection work when necessary.

246. The Chairman said it was unsatisfactory that only the MTRCL had assigned a representative to give response to Members’ enquiries on the captioned matter at the meeting and the written replies of the government departments were ambiguous. Besides, he opined that the government departments should show respect for the TWDC. He despaired at the government departments’ failure to send representatives to discuss other agenda items at the meeting and their ambiguous written replies.

247. Mr CHIU Yan-loy said that the FHB and DH should send representatives to attend the meeting and explain the preventive measures against COVID-19. Currently, apart from Wuhan, there was also a COVID-19 outbreak in Hubei Province in Mainland China. Regarding the two “highly suspected” cases of COVID-19 identified this day, the patients from Wuhan did not travel to Hong Kong directly; instead, they changed at Shenzhen for Hong Kong. The residents in the district were very concerned about the cases and worried about the community’s health. He opined that the Government’s hotline appealing to the passengers associated with the cases for further information was just a passive move. On the contrary, North Korea was on lockdown earlier. The tourists from China were refused entry into North Korea and it was a very decisive move. Moreover, he had received requests for assistance from many residents who enquired about the prevention against COVID-19. Hence, he proposed that different government departments, in particular the DH and other relevant health-related departments, should conduct promotional and preventive work in the community. He also advised the MTRCL to implement the anti-epidemic measures properly.

248. Mr PUN Long-chung, Roy expressed regret over the MTRCL’s failure to grasp the information of train departures from the Mainland and urged the MTRCL to obtain such information as soon as possible in order to safeguard the health of Hong Kong people. Moreover, he pointed out that while cleansing was frequently conducted in most of the private buildings currently (e.g. regular disinfection of handrails and lift buttons), the existing anti-epidemic measures for community facilities (e.g. the public places with a high utilisation rate such as footbridges in the district) were inadequate. He thus proposed that the cleansing work for public facilities should be enhanced with a view to preventing the wide spread of COVID-19.

249. Mr LAU Jackson said it was unsatisfactory that several government departments failed to send representatives to attend the meeting. Moreover, he enquired about the MTRCL’s contingency measures with respect to the potential large-scale outbreak of COVID-19 in the future and passengers of High Speed Rail who had developed a cough.

250. Ms CHAN Kim-kam said that despite Hong Kong had already put in place different anti-epidemic barriers at present, there were still the imported “highly suspected” cases of COVID-19 through the High Speed Rail. As such, the authorities should always handle the epidemic carefully and there should be no delay due to administrative formalities and procedures. She noted that travel restrictions were currently imposed on Wuhan and asked the ImmD about the restriction measures at the border of Hong Kong. She also advised the departments concerned to take border control and quarantine measures early. Moreover, she reminded Members to wear masks if they felt unwell or developed a cough. She further pointed out that the residents in the district were gravely concerned about the TWDC’s anti-epidemic measures and support in relation to COVID-19 (e.g. disinfectant packs).

251. Mr LUK Ling-chung, Antonio said it was mentioned in the captioned paper that special quarantine measures should be implemented at certain locations at the

border. He suggested that such locations should include the land-based control points at Man Kam To, Sha Tau Kok and Lok Ma Chau as well as the sea-based control points.

252. Mr LAI Man-fai said that if all passengers of High Speed Rail were required to fill in a health declaration form, it would be easy to trace the passengers who travelled on the same train with the passenger suspected of being infected with COVID-19. By doing so, the authorities would not have to rely on the passengers to make self-declarations. He therefore roundly condemned the Chief Secretary for Administration for his remark that it was not necessary for the passengers of High Speed Rail to fill in a health declaration form, and requested him to render a public apology. Besides, some Mainland passengers of High Speed Rail would also travel via Austin Station of West Rail Line or Kowloon Station of Tung Chung Line. Hence, he advised the MTRCL to enhance the cleansing work at these two stations in order to prevent the spread of the epidemic.

253. Mr YICK Shing-chung, Angus regretted that the Centre for Health Protection (CHP) of the DH had failed to assign a representative to attend the meeting. He pointed out that last month, there was a confirmed case of Legionnaires' Disease in Belvedere Garden. As some residents pointed out that the initially released location of the confirmed case was incorrect, he had made an enquiry with the CHP and cross-checked the information with Yan Chai Hospital. It was confirmed that the CHP's information was erroneous. He had issued a complaint letter about the said incident to the DH and hoped that the DH would tackle the COVID-19 epidemic proactively. Besides, he considered that health was a very important issue and therefore opined that all possible precautions should be taken against the epidemic. He also proposed that the MTRCL should work in collaboration with other relevant departments such as the HD, which should provide hand sanitiser and masks at the lobbies of the housing estates under its management to fully raise the residents' hygiene awareness.

254. Mr TAM Hoi-pong said that if the Hong Kong Government was ineffective in tackling the epidemic, it might lead to a COVID-19 outbreak in Hong Kong. As the High Speed Rail was a major means of transmission and Wuhan was the transportation hub in the Mainland, he proposed two weeks ago that the MTRCL should arrange the high-speed rail trains to skip the station in Wuhan. In his opinion, if the control points between Hong Kong and the Mainland were not closed, it would be difficult to prevent the spread of the virus to Hong Kong. He would therefore advise his friends not to spend the Chinese New Year holidays in the Mainland. He also suggested that the MTRCL should convey to the Mainland railway authorities the need for thorough cleansing of all Hong Kong and Mainland high-speed rail trains bound for Hong Kong West Kowloon Station. Besides, the existing high-speed rail trains were equipped with an even number of seats on both sides of the compartment. He thus enquired about the feasibility of selling alternate seat tickets. Also, he advised the MTRCL to ensure that all staff on duty at Hong Kong West Kowloon Station would wear masks, and requested the representative to convey the practicable suggestions above to the senior management of the MTRCL.

255. Mr TSE Man-chak said that not every one wore masks at the meeting. He suggested that the government departments should draw up internal guidelines in this regard and remind the public of the importance of wearing masks as well as enhancing the public's hygiene and anti-epidemic awareness. Moreover, he said that the MTRCL should not passively wait for the Mainland's announcements of the latest situation of the epidemic and confirmed cases; instead, the MTRCL should learn from Hong Kong's anti-epidemic experience in the past and approach the Mainland railway authorities to learn about the arrangements of train departures. By doing so, the MTRCL could make early preparations for testing and anti-epidemic measures to safeguard the health of all passengers in Hong Kong.

256. Mr WONG Ka-wa suggested that the HD should cleanse public places (e.g. lifts) using 1:99 diluted bleach and conduct clean-up campaign (commonly known as "Operation Tai Ping Tei") in its public housing estates such as Lei Muk Shue Estate by drawing reference from the practice adopted during the atypical pneumonia epidemic. The HD should also allocate additional resources for promoting environmental hygiene and anti-epidemic messages among the tenants. Moreover, he asked the LCSD whether the holiday camps under its management would be changed to quarantine centres according to the practice in the past if a large number of infection cases emerged in the community.

257. Mr LAM Sek-tim said that Hong Kong people were severely affected by the atypical pneumonia epidemic back then. An "across-the-board" practice had been adopted in which all residents of Block E of Amoy Gardens were evacuated to a holiday village for isolation. Although Hong Kong did not see a similar community outbreak for the time being, the COVID-19 virus might have already spread all over China. It was probable that the COVID-19 epidemic would be more serious than the atypical pneumonia epidemic. He thus proposed that with reference to the practice of other countries, Hong Kong West Kowloon Station should be closed without further ado and the train departures plying between MTR Hung Hom Station and Guangzhou should be suspended, which were simple and direct approaches to prevent the spread of the virus to Hong Kong.

258. Mr SHUM Lester opined that the proper implementation of anti-epidemic measures at the border was of paramount importance. He pointed out that there were 41 confirmed cases in the Mainland on 11 January 2020 and the total number of confirmed cases only increased by 21 cases one week later. However, the total number of confirmed cases climbed threefold to 198 cases within two days after President XI Jinping announced that an all-out effort would be made against the epidemic nationwide. Up till present, there were 441 confirmed cases of COVID-19 in the Mainland, resulting in nine deaths. The virus might have already spread beyond Hubei Province and Wuhan. In view of the identification of two "highly suspected" cases of COVID-19 this day, he proposed that the HKSAR Government should enhance the anti-epidemic measures at the border, review the feasibility of flight cuts and conduct more stringent body temperature and health checks for all incoming travellers from the Mainland. Regarding the "highly suspected" case of COVID-19 identified on 21 January 2020, he suggested that the MTRCL and THB should avert the spread of the virus by checking the information on train attendants and passengers of the train departure concerned because the train

tickets of High Speed Rail (Hong Kong Section) were sold by way of real name registration as required by the HKSAR. Besides, the DH currently conducted body temperature checks for all incoming air passengers from Wuhan. He thus enquired whether the MTRCL would do so for all passengers of High Speed Rail.

259. Mr LAU Chi-hung said he did not believe that the Hong Kong Government could respond to the anti-epidemic needs of the public given its poor governance. He was pessimistic about the potential crisis of a full-blown outbreak. He understood that some government departments might encounter certain restrictions in the implementation of policy. He suggested that the HD should make good use of existing resources and spare no effort to provide support for the tenants and conduct environmental cleansing work.

260. Chief Health Inspector 1 (Tsuen Wan) of the FEHD responded as follows:

- (1) the FEHD had no guidelines and regulations on wearing masks. However, the FEHD would adhere to the latest guidelines of the Government and provide masks for its staff if they provided essential services on the front line, if they were engaged in the anti-epidemic work, if they had frequent contact with members of the public as part of their duties (e.g. counter staff), if they worked in crowded places and if it was for meeting essential operational needs or if it was for meeting special needs of the staff members concerned, such as medical conditions; and
- (2) the FEHD had also enhanced the disinfection work in the public facilities under its management, including the public toilets manned by latrine attendants. The on-duty latrine attendants would cleanse and disinfect the toilets using 1:99 diluted bleach every two hours. The FEHD would also arrange for cleansing and disinfection of unmanned public toilets with 1:99 diluted bleach twice a day with a view to minimising the risk of people becoming infected with the virus when using public facilities.

261. Chief Transport Officer/NT South West of the TD responded that the TD had reminded all public transport operators, car parks, cross boundary coaches and management companies of all tunnels under the TD's management of the importance of enhanced cleansing of the public transport interchanges, piers, compartments, cabins and other transport facilities (e.g. enhanced cleansing of onboard facilities with which passengers were in frequent contact using 1:99 diluted bleach), and issuance of guidelines on personal health to the staff as well as the display of notices in public transport vehicles reminding passengers of the importance of personal hygiene.

262. Chief Manager/Management (Wong Tai Sin, Tsing Yi and Tsuen Wan) of the HD responded that in view of the promulgation of the Preparedness and Response Plan for Novel Infectious Disease of Public Health Significance by the Government, activation of the Serious Response Level on 4 January 2020 and the approach of the Chinese New Year, the HD informed all public housing estates in early January 2020 to carry out clean-up campaigns and strengthen the cleansing and disinfection work for public facilities and at the same time called on the tenants and non-domestic premises tenants to keep households and retail shops clean.

263. District Leisure Manager (Tsuen Wan) of the LCSD responded as follows:
- (1) the LCSD had enhanced the cleansing work at all venues under its management, disinfecting the carpets and lift buttons using 1:99 diluted bleach every hour;
 - (2) the LCSD had also ensured the provision of masks at its venues manned by its staff for the use of the members of the public who felt unwell or were in need; and
 - (3) currently, the LCSD was unable to ascertain the exact locations of the designated quarantine camps.
264. Assistant Public Relations Manager – External Affairs of the MTRCL responded as follows:
- (1) the MTRCL noted Members' concerns;
 - (2) the MTRCL had increased the frequency of cleansing work for station facilities with which passengers were in frequent contact using 1:99 diluted bleach at all train stations at the border crossings including Hong Kong West Kowloon Station, Hung Hom Station, Lo Wu Station and Lok Ma Chau Station, as well as all other stations of the MTRCL railway network. Besides, the DH had set up temperature screening facilities at all train stations at the border crossings to monitor the body temperatures of incoming travellers. The Government had announced that starting from 6 January 2020, all incoming passengers of the two daily train departures of High Speed Rail from Wuhan would have their body temperatures checked by hand-held infrared thermometers;
 - (3) the MTRCL had requested that all staff should wear masks when working at Hong Kong West Kowloon Station and all train stations at the border crossings, and provided masks for its staff at the MTR stations. Also, the MTRCL had requested staff to check their body temperatures before going to work and be mindful of personal hygiene;
 - (4) the screening work at the border crossing at Hong Kong West Kowloon Station was followed up by the DH. After being notified of the suspected case by the CHP in the afternoon on the date concerned, the MTRCL had immediately arranged for thorough cleansing and disinfection of all public places at Hong Kong West Kowloon Station during nighttime. Also, the MTRCL had been making station announcements across the MTR network and at Hong Kong West Kowloon Station to remind passengers to pay attention to personal hygiene and seek medical consultation early if they had developed symptoms such as fever; and
 - (5) the MTRCL would maintain liaison with the government departments concerned and Mainland railway authorities for discussion of matters relating to the stations and train departures. The MTRCL would also keep in view the developments of the epidemic.
265. The Chairman proposed that the MTRCL representative should convey Members' views, including the feasibility of suspending certain MTR station services, to the senior management, and that the MTRCL should tie in with the work of the government departments concerned. Separately, an organisation had cancelled at an earlier time an activity sponsored by the TWDC funds. Hence, an allocation of about \$1 million was available for the purchase of disinfectant packs. He proposed

that the aforesaid funding application should be endorsed by circulation of papers. As matter raised by circulation of papers should be determined by way of an absolute majority of the votes of Members, he asked Members to reply promptly upon receiving the relevant circulation paper from the Secretariat.

(Note: Mr NG Hin-lung, Norris and Mr LAI Man-fai left the meeting at 9:25 p.m.)

XIX Item 19: Crime Brief for Tsuen Wan District – Comparison of Crime Statistics between November to December 2019 and November to December 2018 and Item 20: Crime Brief for Ma Wan – November to December 2019
(TWDC Paper No. 18/2020 and TWDC Paper No. 19/2020)

266. The Chairman said that as this item and Item 20: Crime Brief for Ma Wan – November to December 2019 fell within the same scope, both items would be discussed together. Besides, he stated that the District Commander (Tsuen Wan) of the HKPF was absent and asked Members to note the captioned crime briefs. The Secretariat would record Members' views and convey them to the HKPF.

267. Mr LUK Ling-chung, Antonio reprimanded the District Commander for his failure to attend the two TWDC meetings one after the other and opined that the HKPF should respect the TWDC. Besides, he was concerned about the law and order in Tsuen Wan and pointed out that there was a very serious problem arising from the sex workers in the vicinity of Chuen Lung Street, San Tsuen Street, Tai Uk Street and Ho Pui Street in recent years. In addition, as the sex workers of the said sites wandered between the two adjacent constituencies, the female residents who passed by were stared by men and it was embarrassing. The situation was worrisome. He suggested that the Police should take vigorous actions against the crime concerned. Moreover, beggars always stayed on the footbridge connected to Tsuen Fung Centre and Victory Court. He had called the police stations in Tsuen Wan for many times to relay the problem, but the problem remained unsolved. Therefore, he suggested that the Police should enhance patrolling and take vigorous actions against the begging problem in order to protect residents from disturbance.

268. Mr TSE Man-chak was dissatisfied with the HKPF's failure to send its representative to attend the meeting. He stated that the government departments should utilise the DC, i.e. the consultation platform to communicate with Members, who were the representatives of public opinion. The HKPF should send its staff to attend the meeting to explain the crime briefs, elaborate the situations in Tsuen Wan and listen to the views of residents conveyed by Members. Therefore, he urged the Police to send its staff to attend the next meeting.

269. Mr LAM Sek-tim said that the Chinese New Year was around the corner. The lawbreakers would probably seize the chance to commit crimes as members of the public carried huge sum of money to go shopping and thus usually resulting in poor law and order. Apart from the problem of sex workers in the vicinity of Chuen Lung Street and Ho Pui Street mentioned by the Member, there were many fraudsters from the Mainland who spoke fluent Putonghua in Tsuen Wan and they always wandered around Tsuen Wan town centre. They usually asked the residents for treats and massages and then robbed afterwards. Besides, the residents always received phone calls from fraudsters about collecting mails. He suggested that the Police

should pay attention to it and take corresponding actions. Also, he would like to invite the representative of the HKPF to attend the meeting and discuss the hygiene and law and order issues in the vicinity of Tsuen Wan town centre.

270. Mr CHIU Yan-loy expressed regret over the HKPF's failure to send its staff to attend the meeting and explain the Crime Statistics concerned. According to the captioned crime briefs, there was an increase in Crime Statistics in Tsuen Wan district compared to the same period of last year. In light of the exclusion of cases concerning the movement of opposition to the proposed legislative amendments in the Crime Statistics concerned and no reports to the Police from some members of the public due to the recent tense police-community relations, he believed that the actual Crime Statistics could be on the surge. The recent illegal parking in Tsuen Wan district, such as Tsuen King Circuit, had compounded the road blockage problem. Buses were therefore unable to make turns or pass through. This not only endangered the pedestrians, but also led to serious traffic disruption. He thus suggested that the Police should enhance the law enforcement action. The captioned crime briefs also showed that the number of Serious Drug Offences in Tsuen Wan district dropped to approximately zero. He believed that it was due to the cease of investigation of triad-related crimes and organised crimes by the Police. He was worried about the exacerbation of drug trafficking and organised crimes in the locations around the Tsuen Wan town centre, such as Yi Pei Square. He suggested that the Police should keep in view the situation.

271. Mr YICK Shing-chung, Angus reprimanded the HKPF for its failure to send staff to attend the meeting. Overall speaking, the Crime Statistics did not vary much compared to the same period of last year. The numbers of various cases, such as Robbery, Wounding and Serious Assault, did not go up significantly and were on average. It therefore failed to align with the claim made earlier by the Commissioner of Police that the movement of opposition to the proposed legislative amendments gave rise to an increase in other crimes. Besides, other types of crimes, such as road racing, were not set out in the captioned crime briefs, he thus enquired about the detailed information of the actual figures. He also suggested that the Police should enhance the law enforcement on the crimes which were associated with the community and people's livelihood, including road racing and illegal parking, and should refine the captioned crime briefs.

(Note: Mr SHUM Lester left the meeting at 9:38 p.m.)

272. Mr TAM Hoi-pong said that on the basis of the reduced uniformed patrols over the past, he opined that the Crime Statistics in the captioned crime briefs were not necessarily the indicators of the real crime situations. Besides, there was a serious problem of illegal parking over the past two months in Sai Lau Kok Road, which was near the DC and an en route spot of Members. He suggested that the traffic wardens should enhance their duty on enforcing fixed penalty on illegal parking. Besides, the decrease of Crime Statistics in Ma Wan shown in the captioned crime briefs was also not necessarily the indicator of the real crime situation. He reprimanded the Police that five anti-riot police cars were deployed and on call for a T-shirt printing activity organised by residents in late December last year. He opined that the Police should explain to the TWDC the frequency of and

reasons for deploying the police officers and police vehicles in Tsuen Wan and suggested that the information concerned should be set out in the respective crime brief in the future.

273. Ms CHAN Kim-kam said that she felt helpless about the HKPF's failure to send its staff to attend the meeting and suggested that the HKPF should address the DC, arrange its representatives to attend meetings and explain the details of the crime briefs. She also enquired about the entire procedure of handling the arrested persons in the police stations in Tsuen Wan district.

274. Mr PUN Long-chung, Roy strongly reprimanded the Police for its repeated failure to attend the TWDC meetings. He opined that the absence of the Police from meetings was a sign of disrespect to the DC and also an insult to the government officials who attended the meetings devotedly.

275. Mr LAU Cheuk-yu said he noted that there was at least one rape case in Tsuen Wan district but the crime briefs did not show the rape cases in the district. Therefore, he enquired whether the Crime Statistics concerned was generated from the number of report to the Police or from the number of crime detection.

276. Mr LAU Jackson expressed his regret over the District Commander (Tsuen Wan)'s failure to attend the meeting. According to the captioned crime briefs, the number of crimes in Tak Wah constituency and Yeung Uk Road area was 92 and 77 respectively, and the sub-total number of crimes of these two constituencies was almost equal to half of the total number of crimes of all constituencies. It reflected that various crimes took place at Tsuen Wan town centre. He enquired whether the Police would enhance the law enforcement action to this regard. Besides, he suggested that the Police should send its staff to attend the meetings in order to explain the reasons for the reduced patrols and the monthly decrease in the detection rate concerned.

277. Mr WONG Ka-wa said the captioned crime briefs suggested that the law and order in Tsuen Wan had been worsening compared to the past and suggested that the Police should keep in view the situation. The Police adopted the preventive strategies to stop crimes in the past, such as assigning the police officers to drive away the suspected beggars from the Mainland who were under the operation in the form of organisations and societies in Tsuen Wan instead of only focusing on capturing criminals. Besides, two teams of police officers currently took turns to guard outside the entrance of Tsuen Wan Police Station, while several uniformed police officers were stationed near the Tsuen Wan Police Station. He enquired about the necessity of such excessive police planning and suggested deploying police officers to enhance patrolling and law enforcement action in Tsuen Wan, such as dealing with the traffic problems caused by a number of large vehicles parked outside Ho Fung College at Wo Yi Hop Road in the afternoon.

278. The Chairman stated that there was a serious problem of illegal gambling in Lei Muk Shue Estate and it had been worsening recently. Besides, the traffic was seriously affected by the illegally parked vehicles in the vicinity of Lei Shu Road and Wo Yi Hop Road. There were even traffic accidents which posed danger to

pedestrians. He noted Members' dissatisfaction and regret over the failure of the representatives of the HKPF to attend the two TWDC meetings. He opined that the HKPF should note the views of Members notwithstanding its failure to send staff to attend the meetings. Therefore, he requested the officials concerned to contact the Members after the meeting in order to give an account of and follow up the issues.

(Post-meeting note: The Secretariat conveyed Members' views in writing to the HKPF on 16 April 2020.)

XX Item 21: Information Papers

279. Members noted the contents of the following information papers:

- (1) Financial Statement of Tsuen Wan District Council for April to December 2019
(TWDC Paper No. 20/2020); and
- (2) Dates of Meetings of Tsuen Wan District Council and its Committees in 2020/21
(TWDC Paper No. 21/2020).

280. Mr TAM Hoi-pong enquired about the details of the under-spending in the funds allocation for the District Minor Works Programme under the Environmental and Health Affairs Committee, and whether the uncommitted funds under "Subsidy for the Activities Organised by the Tsuen Wan District Office" amounted to around \$60,000. In addition, given that the spring gathering was co-organised by the TWDO and TWDC previously, he enquired about the relation between the arrangement of the event in 2020 and the uncommitted funds under "Subsidy for the Activities Organised by the Tsuen Wan District Office", if any. Besides, it was learnt that the unspent DC funds were required to be returned to the Government. He enquired about the accuracy of such statement. He also enquired whether the receipts of the funding applications would be available for inspection upon application by the district councillors or members of the public.

281. The Secretary stated that under-spending was identified in the funds allocation for the District Minor Works Programme because some works were still underway and the TWDO had not settled the payment of the works concerned. In addition, the uncommitted funds were identified under "Subsidy for the Activities Organised by the Tsuen Wan District Office" due to the cancellation of an activity of an area committee resulted from the social incidents. The TWDO did not organise any new year celebration lunch with the TWDC in 2020. As regards the inspection of the receipts of the funding applications, members of the public might make an application to the Secretariat if they intended to do so.

282. The Chairman said that under time pressure, it was difficult to make use of the uncommitted funds in the near term. Therefore, the uncommitted funds should be returned to the Government.

XXI Item 22: Any Other Business

283. Mr CHIU Yan-loy said that the Working Group on Tsuen Wan Footbridge Network under the Traffic and Transport Committee (T&TC) would be established. Given that most of the DC Members of this term were newly elected, he suggested

suspending the prior decision of establishment of the Working Group so as to facilitate Members to hold meetings for discussion of the major direction of the development.

284. Mr LAU Cheuk-yu suggested rescheduling the date of the meeting of the Recreation, Sports, Arts and Culture For All Committee from 28 December 2020 to 21 December 2020. Members agreed to the proposal.

285. Mr TAM Hoi-pong suggested shortening the duration of submission of funding application by the applicant organisations so as to allow more time for the organisations to prepare the papers. In addition, as some Members were not at the meeting during the establishment of working groups under the TWDC earlier, he reminded the Secretariat to invite Members to join the working groups concerned in writing. Besides, he thought that the security arrangements of this meeting were unacceptable and suggested that the TWDC should discuss the recruitment of security guards in future.

286. Mr WONG Ka-wa urged the departments concerned to suspend the works concerning the footbridge network.

287. The Chairman stated that the working group under the T&TC was tasked to follow up the issues concerned. He reminded the Members who wished to bring up the said matters for discussion to submit papers.

XXII Adjournment of Meeting

288. There being no other business, the meeting was adjourned at 10:00 p.m.

Tsuen Wan District Council Secretariat

April 2020

Terms of Reference of the Working Groups under
Tsuen Wan District Council in 2020-23

- (I) Finance and In-house Working Group
- (1) To advise on the Guidelines on the Tsuen Wan District Council Funds and other related issues;
 - (2) to prepare the annual budget for approval of the District Council;
 - (3) to monitor the use of District Council funds;
 - (4) to review the Standing Orders of the Tsuen Wan District Council to ensure that they are sound and practicable, and to make appropriate amendments as and when necessary for approval of the District Council;
 - (5) to advise on the general administration such as daily operation and management of the District Council and its Committees and Working Groups;
 - (6) to review regularly the implementation of the District Council Members Meet-the-Public Scheme and to coordinate the publicity work of the Scheme as and when necessary; and
 - (7) to coordinate the editorial work of the Report of the Tsuen Wan District Council.
- (II) Working Group on Activities
- (1) The Working Group was established to coordinate activities organised by TWDC between January and March 2020.

Membership lists of the Working Groups under
Tsuen Wan District Council in 2020-23

Finance and In-house Working Group

- Convenor : Mr CHAN Yuen-sum, Sumly
Members : Mr MAN Yu-ming, MH (joined after the meeting)
Mr LI Hung-por
Mr SHUM Lester
Mr YICK Shing-chung, Angus (joined after the meeting)
Mr LAM Sek-tim
Ms CHAN Kim-kam
Mr LUK Ling-chung, Antonio
Mr WONG Ka-wa
Mr KOT Siu-yuen (joined after the meeting)
Mr CHIU Yan-loy
Mr LAU Chi-hung
Mr LAU Cheuk-yu (joined after the meeting)
Mr PUN Long-chung, Roy
Mr LAU Jackson
Mr LAI Man-fai
Mr TSE Man-chak
Mr TAM Hoi-pong (joined after the meeting)

Working Group on Activities

- Convenor : Mr LI Hung-por
Members : Mr MAN Yu-ming, MH (joined after the meeting)
Mr SHUM Lester
Mr YICK Shing-chung, Angus
Mr LAM Sek-tim
Mr CHAN Yuen-sum, Sumly
Ms CHAN Kim-kam
Mr WONG Ka-wa
Mr KOT Siu-yuen (joined after the meeting)
Mr CHIU Yan-loy
Mr LAU Chi-hung (joined after the meeting)
Mr LAU Cheuk-yu (joined after the meeting)
Mr PUN Long-chung, Roy
Mr LAU Jackson
Mr LAI Man-fai
Mr TSE Man-chak
Mr TAM Hoi-pong (joined after the meeting)

Task Force on Community Safety and Monitoring of Police Power (Tentative Name)

Convenor : Mr SHUM Lester

Members : Mr NG Hin-lung, Norris
Mr YICK Shing-chung, Angus
Mr LAM Sek-tim
Ms CHAN Kim-kam
Mr LUK Ling-chung, Antonio
Mr WONG Ka-wa
Mr CHIU Yan-loy
Mr LAU Chi-hung
Mr LAU Cheuk-yu
Mr PUN Long-chung, Roy
Mr LAU Jackson
Mr LAI Man-fai
Mr TSE Man-chak
Mr TAM Hoi-pong