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16 June 2004

Clerk to Legislative Council
(Attn : Ms Joanne MAK)
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms Mak,

Panel on Home Affairs
Follow up to special meeting on 27 May 2004

Thank you for your letter dated 3 June 2004 in which you sought our response to two issues raised at the meeting. The Administration's response is as follows :

- (a) *whether the Chief Executive had communicated with Mainland officials on the recent alleged cases of intimidation concerning the three radio talk show hosts Mr Albert CHENG, Mr Raymond WONG and Mr Allen LEE;*

The Chief Executive was very concerned about the departure of several radio programme hosts and he has made enquiries specifically with the relevant Central Authorities. The Chief Executive had been told by the relevant Central Authorities that it was the staunch and fundamental policy of the Central Government to safeguard the principles of "One Country, Two Systems", Hong Kong people running Hong Kong and a high degree of autonomy in Hong Kong. The Central Government would not do anything to undermine "One Country, Two Systems" and the interests of Hong Kong. The Central Government also supported the SAR Government to take action to safeguard the freedom of expression and of the freedom of the press in accordance with the law.

(b) the Administration to give a response to the suggestion that the Administration should launch an investigation, which should be high level and backed with legal power, into circumstances surrounding the recent sudden departures of Mr Albert CHENG, Mr Raymond WONG and Mr Allen LEE from their Commercial Radio talk shows.

According to the Commissions of Inquiry Ordinance (Cap. 86), the administration may appoint a commission to inquire into matters of public importance. The commission may summon any person to attend to give evidence under oath. The commission may also require the individual to produce or submit any article or document that can facilitate the investigation. However, the Government would exercise this power prudently. This is particularly important when freedom of speech at issue.

A panel of inquiry will not serve its purpose unless it has the support of the community and the co-operation of the radio talk-show hosts concerned. At the moment the Police is continuing with its investigation.

We are monitoring the matter and consider that there is no urgent need to set up a panel of inquiry at this point in time.

Yours sincerely,

(Stephen Fisher)
for Secretary for Home Affairs