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本司編號 Our Ref: ESCC 2993/2018
來函編號 Your Ref:
電話號碼 Tel. No.: 2867 1046

23 January 2019

Mr Kenneth CHEN
Clerk to the Legislative Council
The Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

By Fax (2845-2444) and By Post

Dear Mr CHEN,

**Application for Special Leave of the Legislative Council
for officers of and persons employed by the Council to give evidence in respect
of proceedings held before the Council on 13 June 2018 in the criminal
proceedings of:**

HKSAR v LAM Cheuk-ting & WAN Siu-kin Andrew
(Case No. ESCC 2993/2018)

This is an application for Special Leave of the Legislative Council ("LegCo") under section 7 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and rule 90 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region (Instrument No. A501) for the following officers of and persons employed by the LegCo to give evidence in the criminal proceedings instituted against Hon LAM Cheuk-ting ("Hon LAM") and Hon WAN Siu-kin Andrew ("Hon WAN") in respect of the proceedings held before the LegCo on 13 June 2018 (the "Council meeting"):-

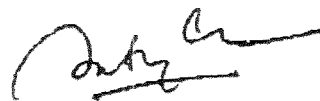
	Name	Role	Remarks
1	Mr WONG Cheung 王祥	Security Assistant (I) of the LegCo	- witnessed the events that happened during the Council meeting
2	Mr CHENG Wing-wah 鄭永華	Security Assistant (I) of the LegCo	- witnessed the events that happened during the Council meeting
3	Mr LAU Kin-wai Daniel 劉健偉	Security Officer of the LegCo	- witnessed the events that happened during the Council meeting

4	Mr WAI Ka-keung 韋家強	Senior Security Assistant	- operated the CCTV cameras capturing the events that happened during the Council meeting
5	Mr LAM Tsz-fung 林子峰	Senior Information Technology Officer of the LegCo	- provided video discs containing CCTV footage of the LegCo and the LegCo webcast video, which capture the events that happened during the Council meeting
6	Ms LEUNG Hing-yee 梁慶儀	Deputy Secretary General of the LegCo Secretariat	- witnessed the events that happened during the Council meeting

The reasons for the application are as follows. Hon LAM and Hon WAN have been prosecuted for the offence of "Obstructing an officer of the Legislative Council in the execution of duty", contrary to section 19(b) of the Legislative Council (Powers and Privileges) Ordinance, Cap. 382. Hon WAN has further been prosecuted for the offence of "Common Assault", contrary to Common Law and punishable under section 40 of the Offences Against the Person Ordinance, Cap. 212. It is alleged that during the Council meeting held in the Chamber of the LegCo on 13 June 2018, Hon LAM and Hon WAN obstructed an officer of the LegCo, namely WONG Cheung, in the execution of his duty to carry out the order of the President of the LegCo (the "President") for Hon LAM to leave the Chamber. Hon WAN also assaulted another officer of the LegCo, namely CHENG Wing-wah, when he dashed towards the President's pedestal and bumped into the body of Mr CHENG. The evidence of the above-named witnesses will be necessary in the trial of Hon LAM and Hon WAN, and may involve events which had happened in the Chamber while the Council meeting was held.

Hon LAM and Hon WAN pleaded not guilty to the above offences at the hearing on 11 December 2018. The court set down a Pre-trial Review on 29 January 2019. It is expected that the date of the trial will be fixed soon.

Please do not hesitate to contact me or Mr Derek Lau (2867-3555) if we can be of any further assistance.



(Anthony Chau)

Assistant Director of Public Prosecutions (Ag)

c.c. DSIP Angus WONG, OC RPOEIT 2 HKI (By Fax (2200-4518) only)