

九龍城區議員 Member of Kowloon City District Council

**黃以謙** 醫生 **Dr. Wong Yee Him John**

地址：九龍城聯合道32號億光樓二樓前座 電話：3190 5812 傳真：3190 5813

Mr. LAM Sui Lung, Stephen, JP  
Secretary for Constitutional Affairs,  
Constitutional Affairs Bureau,  
3rd floor, Main and East Wing,  
Central Government Offices, Central.

23 October 2006

*Dear Mr Lam,*

**Further Development of the Political Appointment System**

I fully support the government's plan to enhance the Political Appointment System. I believe that with minor refinements, the proposals will allow our SAR Administration to enhance its ability to carry out "political work" and hence further improve on its governance.

I am however concerned about the new system being perceived to be taking away the power of Senior Civil Servants in overall policy formulation. There is also the uncertainty over how the Deputy Directors of Bureaus and the Assistants to the Director of Bureau can exercise political accountability when they are not exactly assigned policy portfolios and specific responsibilities.

I have attached a copy of my submission on the related consultation paper. I sincerely hope that you would have the chance to browse through it.

Thank you.

Yours sincerely,

(Signed)

(Dr Wong Yee Him)

**[www.doctorwong.net](http://www.doctorwong.net)**

## **SUGGESTIONS FOR THE CONSULTATION PAPER ON THE “FURTHER DEVELOPMENT OF THE POLITICAL APPOINTMENT SYSTEM”**

1. Without an electoral mandate, our SAR Administration needs to implement difficult policies through the mastery of public opinion as well as via proficient delivery of “political work”. An efficiently run Political Appointment System should be highly conducive to the delivery of such “political work”.

### **ISSUES RAISED BY THE CONSULTATION DOCUMENT**

#### **2. Definition of Political Work**

- 2.1. **“Political Work”** should have three components:
  - a. **To establish two-way communication with the masses** (and regular contacts with the District Councils)
  - b. **To liaise with various interest groups.**
  - c. **To build a positive impression with the media.**
- 2.2. The major duty of Politically Appointed Officials (PAO) should hence be to execute “Political Work”, especially in promoting policy initiatives that are difficult to implement.

#### **3. The power of Senior Civil Servants must not be compromised**

- 3.1. A unique feature of our current system of government is that **our senior civil servants have a key role in policy formulation.**
- 3.2. While the Director of Bureau (DOB) is fully accepted by the civil service as the Head of the Bureau, the Permanent Secretary (PS) functions as the top executive and shares the duties for policy decisions and political work.
- 3.3. **The PAS must not be seen as taking away the power of Senior Civil Servants in overall policy formulation** as this will cause great resentment.

#### **4. Relationship between PAO and the Permanent Secretary**

4.1. As proposed in the paper, both the Deputy Directors of Bureau (DDB) and Assistants to Director of Bureau (ADB) will be directly under the DOB. Therefore, the PAO will operate totally independent of the PS, previously the undisputed second in charge in the bureau. In any case, a dual-deputy system will emerge and the authority of the PS will appear to be compromised.

4.2. In the proposal, DDB will mainly work as a deputy to the DOB on political lobbying, liaising with the concern parties and reaching out to various groups. It seems that the DDB will take away work, and therefore "power" from the PS. From another perspective, the DDB might be seen as competing with the PS for the second in charge position within the bureau.

4.3. It will be inevitable that, at one time, disagreement will arise between PAO and the senior civil service. Therefore, the risk of **the bureau splitting into 2 camps** (civil servants versus PAO) cannot be ruled out. The situation might worsen when the DDB deputizes for the DOB and puts the PS in a subordinate position.

4.4. The only remedy would be to **give PAO new responsibilities that are distinct from those the senior civil servants are currently exercising and to have PS continue to deputize for the DOB**. It will be best if the PAO are given "political work" which the civil servants are not eager to engage in.

#### **5. Role of Deputy Directors of Bureaus and their political accountability**

5.1. In the proposal, the DDB will not single-handedly be responsible in any policy matter. However, Deputy Secretaries (DS) aided by Principal Assistant Secretaries (PAS) will continue to be assigned distinct responsibilities over policy portfolios while supported by a team of Assistant Secretaries (AS).

5.2. If DDB are not given distinct responsibilities in policy matter, **how could they bear political accountability?** Would the public accept the DDB to be accountable for policies mainly formulated by the AOs?

## **6. Role of Assistants to Directors of Bureaus**

6.1. In the document, ADB are under the DDB and will help the DOB in reaching out to the public. The job description seems to be similar to the current Administrative Assistants of DOB.

6.2. In the proposed position, the ADB would relieve the burden of senior civil servants in time-consuming public relations work. **However, how would this arrangement be better than the current setup?** After all, the Administrative Officers currently doing the job would have more experience than any future appointees.

6.3. Also, with limitation in advancement prospect for PAS grade a likely sequel, how would the Administrative Officers be viewing such arrangements? It would be likely that the ADB will encounter resistance from the civil service in their work if such resentment is not properly handled.

## **7. Civil servants as the main source of PAO**

7.1. It is important to continue appointing senior Civil Servants as DOB due to the shortage in suitable talent for the time being.

7.2. However, if there exist a fast track for middle ranking AO to be advanced as PAO, this might encourage those who have such ambitions to become self-promoting. **The teamwork and the anonymous nature of civil service might be compromised.**

7.3. Also, what would be **the incentive for AO's of DS and PAS grade to transition?** After all, the nature of the work is not more challenging, there will be no job security and no guaranteed career advancement. **How could we ensure that the scheme will not end up attracting only those civil servants with mediocre promotional prospects?**

7.4. If most of the PAO were to come from the civil service, the SAR government will face criticism that the PAS is a game of "musical chairs" which is "old wine in new bottle". To avoid such public outcry, it is advisable to **restrict the number of civil servants appointments to less than 40% in the first year.**

## **8. Role of Political Parties**

8.1. The Political Appointment System should not be confused with the formation of a “governing coalition”. Therefore, candidates from political parties should be assessed only on the merits of their political experience and not their political affiliation. Such appointments should not be a training opportunity for junior party members. Only those who are genuinely qualified should be appointed.

8.2. Participation in political parties yields useful experience with “political work”. Campaigning and reaching out to the masses are regular experience of second and third tier members of political parties. Therefore, such candidates should be given merit for selection solely based on their experience in “political work”.

## **9. Acceptance of PAO by the Civil Service**

9.1. A defect of these newly appointed PAO is that they lack a source of authority. Consequently, there is always the possibility that the civil service might challenge their leadership.

9.2. In parliamentary democracies like the UK, Japan or Singapore, politically appointed Ministers owe their power to their parliament seats. In the US system, appointed officials are either acknowledged experts or politically close to the President. In most systems, politically appointed Ministers enjoy affinity with the Head of Government through membership of the same political party – a privilege that is not shared by the civil servants. Our PAO have none of these advantages.

9.3. In our new system, it would be better if we only appoint **PAO who are known experts in their ministry portfolio**, so that they could instantly gain the respect of the civil service. A system should be in place to give PAO regular access to the Chief Executive

## SUGGESTIONS

### **10. DDB to be assigned a specific portfolio**

10.1. To allow for effective execution of “political work”, DDB should be assigned responsibilities over policies initiatives that involve a **lengthy process of consultation and legislation** and which are especially **difficult to implement**. Examples are health care finance or smoking ban in public places. Consequently, **not every bureau needs to have a DDB in the initial phase**.

10.2. The DDB will gain credit or shoulder blame over their responsible portfolio. Hence, **the DDB should be fully empowered to sell the policy to the public without interference from the civil service**.

10.3. DDB will head a team of civil servants led by a PAS to work on the policy. The supervisors of the DDB and PAS are the DOB and PS respectively but the PAS will be subordinate to the DDB.

10.4. To highlight the importance the Administration attaches to the DDB's portfolio, they can be given the title of Special Commissioner (特派員), eg Special Commissioner for Competition Policy (競爭政策特派員).

### **11. ADB as general spokesperson of the Bureau**

11.1. ADB needs a platform to gain public recognition and gain stature as a political leader. Therefore, instead of ADB working as an aide to the DOB, they should be made **the general spokesperson of the Bureau**. Their main job will therefore be to liaise with the public and the media on policy matter.

11.2. The ADB should regularly **brief the media** over the bureau's policy initiatives. The ADB should also **visit the 18 District Councils regularly** and gather feedback on matters related to the Bureau. This would in effect strengthen the ties between the Administration and the grassroots.

11.3. As such a job demands somebody with experience in a wide range of matter, a novice would not be suitable. In most parliamentary systems, one will not be offered ministry positions unless they are over 35.

## **12. Criteria for Politically Appointed Officials**

12.1. It is likely that the public might challenge the rationale of appointing individual PAO. For the Political Appointment System to be credible, there must be an objective criteria for selecting PAO, based on the goal of enhancing the execution of "political work". Therefore, all PAO should fulfill these basic criteria.

- a. Expertise in their policy portfolio**
- b. Experience in "political work"**
- c. Loyalty to the Chief Executive**

12.2. DDB must be **experts in the policy portfolios** they are assigned. Only by being experts could they command the respect from the AO and take charge of policy formulation. ADB should also have proven talent and track record in the related policy areas.

12.3. "Political work" is not something that could be easily learned on the job. It is also not the same as management or professional experience. PAO must be **experienced in "political work"** and have prior experience in lobbying, gaining consensus and working with the grassroots. That means we should mainly elect candidates from politicians, senior civil servants, leaders of professional associations and those with multiple appointments to statutory bodies/committees.

12.4. **Loyalty to the Chief Executive** is the prime criteria but this is hard to ascertain. The Administration will suffer significant damage if a constituent member holds a dissenting view. Therefore, candidates for PAO must be carefully scrutinize to ensure that they hold similar views to the Chief Executive on all policy matters. Candidates with known track records and predictable views (e.g. politicians or those with wide participation in public service) are therefore much more preferred than professionals or academics.

12.5. At first glance, there might not be many candidates who fulfill all these conditions. However, it is important that the first batch of appointees achieve wide public acceptance and hence quality might be more important than quantity.

### **13. Selection of Candidates**

13.1. Selection of candidates for PAO should not be done by a Recruitment Committee, as was suggested. Such an arrangement would not allow the proper examination of one's political loyalty to the Chief Executive. All PAO must be completely in sync with the Chief Executive's thinking and recruiting such talent could only be done on a one-to-one basis.

13.2. Instead, a shortlist of candidates should be drawn by a Headhunting Task Force and then be individually interviewed by the Chief Executive himself.

### **14. Conclusion**

14.1. The Political Appointment System will be an important enrichment to the "One Country Two System" formula. With its successful implementation, our Administration's governance and public acceptance will no doubt be further enhanced.

Dr Wong Yee Him  
Kowloon City District Councillor  
[www.doctorwong.net](http://www.doctorwong.net)