

**Department/Organisation: Housing Department (“HD”)  
Case concluded in: November 2015**

**HD refused Mr A’s request for the management and maintenance records and CCTV footage of an estate shopping mall**

*The Event*

Mr A allegedly sustained an injury from a fall in a shopping mall under the Hong Kong Housing Authority and sought compensation from HD, the Authority’s executive arm. He requested HD to provide the management and maintenance records of the mall, its internal operation manual and the CCTV footage relating to the incident. Nevertheless, HD refused his request on the grounds of “internal documents”. Upon our inquiry, HD cited paragraph 2.6(c) of the Code on Access to Information (“the Code”), i.e. information which relates to investigations which resulted in or may have resulted in proceedings, as the reason for refusing Mr A’s request. HD also argued that the information could not be disclosed for the security and privacy issues involved.

*Our Findings*

“Internal documents” is in fact not a valid reason under the Code for refusing to disclose information. The information that Mr A requested was largely about the management practice and procedures for the mall. As regards the cited reasons of security and privacy issues for non-disclosure, we did not think that they had anything to do with paragraph 2.6(c) of the Code. Neither could we see any justification for HD’s non-disclosure of such general management information about the mall. As for Mr A’s request for the CCTV footage relating to the incident, HD could, however, have cited paragraph 1.14 of the Code (i.e. information not in its possession) as the reason for non-disclosure as the relevant footage had already been damaged.

*Outcome*

We recommended that HD review each item of Mr A’s request. Unless there is a valid reason for non-disclosure provided in the Code, HD should provide Mr A with the information requested.