

**Department/Organisation: Leisure and Cultural Services Department  
("LCSD")**

**Case concluded in: December 2016**

**LCSD failed to provide tree inspection report**

*The Event*

The complainant requested LCSD to provide its inspection reports on two trees ("the Trees"). However, the Department only provided him with a Tree Group Inspection Form<sup>Note</sup> ("Form 1") in respect of the Trees, but not the Tree Risk Assessment Form ("Form 2") on the Trees. LCSD explained that no Form 2 had been filled in for the Trees and that the entire Form 1 had already been released to the complainant. The Department had no other relevant tree inspection reports.

*Our Findings*

We discovered among the documents submitted to this Office by LCSD a Form 2 in respect of one of the Trees ("Tree A") filled in by the Department. LCSD's explanation was that: it was actually not necessary to fill in a Form 2 for long-term monitoring of Tree A; the officer concerned had filled in a Form 2 for reference purpose only. Since the Form had not been reviewed by his supervisor, it should not be taken as an official Form 2 *per se*. Hence, the Department did not provide the complainant with the Form. To avoid causing misunderstanding and confusion, LCSD had since instructed and reminded officers concerned not to use Form 2 improperly.

We consider it imperative that LCSD instruct its officers clearly that in deciding whether Form 2 should be filled in, they must adhere strictly to the Guidelines (Note) promulgated by the Tree Management Office. It is also our view that since LCSD deemed the Form 2 on Tree A part of the Department's case records for future reference, the Form should have been regarded as an official record. LCSD should, therefore, disclose that record to the complainant, unless the Department is able to come up with a valid reason under Part 2 of the Code on Access to Information for refusing disclosure.

*Outcome*

In the light of our recommendation, LCSD supplied the Form 2 to the complainant.

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<sup>Note</sup> The Tree Management Office under the Development Bureau has introduced arrangements for tree risk assessment to all Government departments with tree management responsibility (including LCSD) by promulgating the Guidelines for Tree Risk Assessment and Management Arrangements ("the Guidelines"). The Guidelines stipulate that the departments use the Tree Group Inspection Form ("Form 1") devised by the Bureau to carry out tree group inspections so that trees that require special care can be identified. The Guidelines also provide that with regard to old and valuable trees, stonewall trees, mature trees etc., the Tree Risk Assessment Form ("Form 2") devised by the Bureau should be used for more detailed risk assessment of individual trees. Such forms must be filed for records.