

High Court amend Interim Injunction Order on “doxxing and harassment against police officers and their families” such that special constables would also be protected

Since this June, Police Officers’ personal information has been unlawfully disclosed and widely published on the Internet. Such information includes schools and classes that their children attended. Police Officers who had been “doxxed” were affected by different levels of nuisance and intimidation, including harassment by telephone calls, identities being misused to apply for loans and to make online purchases, harassing Police Officers' family members by visiting their workplaces. Some Police Officers or their family members even received letters threatening to hurt them brutally.

These acts constitute serious intimidation and harassment to the Police Officers and their family members, causing grievous concern over their personal safety and mental distress.

The Secretary for Justice as guardian of the public interest and the Commissioner of Police as a representative on behalf of all Police Officers applied to the Court for an ex parte injunction (HCA 1957/2019) to restrain persons from unlawfully and wilfully conducting themselves in those acts.

The Court granted an interim injunction order on 25 October 2019 (with subsequent amendments dated 28 and 31 October 2019) which was to last until the return day on 8 November 2019 at 10:30a.m. On the return day, the Court ordered it be continued (with two variations) until trial or further order. Further, on 10 December 2019, the Court amended the interim injunction order such that Special Constables would also be protected. The interim injunction order restrains persons from unlawfully and wilfully conducting themselves in any of the following acts :-

(a) using, publishing, communicating or disclosing to any other person the personal data of and concerning any Police Officer(s), Special Constable(s) and/or their spouses and/or their respective family members (namely parents, children or siblings), including but not limited to their name, job title, residential address, office address, school address, email address, date of birth, telephone number, Hong Kong Identity Card number or identification number of any other official identity documents, Facebook Account ID, Instagram Account ID, car plate number, and any photograph of the Police Officer(s), Special Constable(s) and/or their spouses and/or their respective family members (namely parents, children or siblings), intended or likely to intimidate, molest, harass, threaten, or pester any Police Officer(s), Special Constable(s) and/or their spouses and/or their respective

family members (namely parents, children or siblings), without the consent of the Police Officer(s), Special Constable(s) and/or their family member(s) (as the case may be) concerned;

(b) intimidating, molesting, harassing, threatening, or pestering any Police Officer(s), Special Constable(s) and/or their spouses and/or their respective family members (namely parents, children or siblings); and

(c) assisting, causing, counselling, procuring, instigating, inciting, aiding, abetting or authorizing others to commit any of the aforesaid acts or participate in any of the aforesaid acts;

The two variations ordered by the Court on 8 November 2019 concern:

(a) A newly added clarification that the order does not prohibit any lawful act(s) which are done solely for the purpose of a 'news activity' as defined in section 61 of the Personal Data (Privacy) Ordinance (Cap. 486).

(b) The prohibition relating to "interfering" has been deleted.