

LC Urgent Q1: Use of force by police officers in demonstrations

Following is an urgent question by the Hon Au Nok-hin under Rule 24(4) of the Rules of Procedure and a reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (June 19):

Question:

On the 12th of this month, the Police used various kinds of weapons (including batons as well as pepper balls, bean bag rounds and rubber bullets which were discharged by arms) against demonstrators in the vicinity of Admiralty, and the injured persons included a driver of a press vehicle who was shot in the head and fell unconscious onto the ground, and a demonstrator who was shot in the eye. As seen on the television screen, some police officers aimed at the heads of unarmed demonstrators when they fired. There are comments querying that such acts were in violation of a requirement in Chapter 29 of the Police General Orders, which stipulates, among others, that the level of force to be used by police officers shall be minimal and reasonably required under the prevailing circumstances. Besides, on the day following the Government's announcement of the suspension of the relevant legislative amendment exercise, millions of members of the public still took to the streets to protest in a march. Given that large-scale demonstrations may be triggered at any moment, will the Government undertake that when a similar demonstration takes place again, police officers will not aim at the upper bodies of demonstrators anymore for firing bean bag rounds and rubber bullets, so as not to cause incidents of serious injuries?

Reply:

President:

In the morning of June 12 there was a peaceful assembly to be held outside the Legislative Council (LegCo) Complex originally. At around 8 am, a large number of people in mask suddenly rushed out to Lung Wo Road, Tim Mei Avenue, Queensway and Harcourt Road in an organised manner, occupying the roads, blocking the traffic and disrupting social order. Some protesters even did threatening and provoking acts. As there were citizens being trapped inside a tunnel at Lung Wo Road, Police Negotiators were deployed, with the incident lasting for eight hours. The people affected could not use the toilet or drink water when they were trapped. At the same time, roads were congested and blocked, which nearly paralysed the traffic. Notwithstanding this, the Police maintained a high degree of tolerance.

Around 3pm, the situation at the LegCo Complex began to deteriorate, when protesters mainly at the front continuously charged towards the Police cordon line violently. The Police set up cordon line there mainly to safeguard the LegCo Complex and persons therein. The protesters who

violently charged towards the Police hurled bricks at police officers, and attacked police officers with metal poles, mills barriers and wooden planks. The Police cordon line retreated all the way to the demonstration areas at the entrance of the LegCo Complex.

At that time, some of the protestors at the front ignored the Police's repeated advice and warning, and repeatedly charged towards the Police cordon line using violence in an organised manner. This posed serious threats to public safety and order, as well as endangered the personal safety or even lives of people at the scene (including other protesters, members of the media and police officers on duty). Having given warning several times and without any other choices, the Police used appropriate and necessary force to disperse the crowd and control the situation in order to protect the safety of their own and others.

Up to present, the Police have arrested a total of 32 people for offences including behaving in a disorderly manner in a public place, unlawful assembly, assaulting police officer, etc. A total of 22 police officers have sustained different degrees of injuries in the incident.

The Police have the responsibility to adopt lawful measures to maintain public safety, public order, as well as safeguard people's life and property. The Police shall, based on the circumstances at the scene, make assessments and exercise professional judgment to take appropriate actions, which include using necessary force in a bid to ensure public safety and public order.

The Police have established guidelines on the use of force. Police officers may use minimum force as appropriate only when such an action is absolutely necessary and there are no other means to accomplish the lawful duty. Police officers shall give verbal warning prior to the use of force as far as circumstances permit, while the person(s) involved shall be given every opportunity, where practicable, to obey police orders before force is used.

The Police have rigorous training with regard to the use of force. Every newly recruited or serving police officer has to go through rigorous training on the use of force, so that they may fully understand how to use different levels of force in a safe and effective manner, including the use of verbal advice/verbal control, empty-hand control, pepper sprays, batons and other equipment, as a means to achieve the relevant lawful purposes.

During the operation on June 12, as some protestors charged towards police cordon line at the front using violence and hurled bricks, metal poles, wooden planks and mills barriers at police officers, under such life-threatening situation, police officers used force to disperse the crowd and control the situation with the aid of appropriate equipment. During the operation, the weapons used by the Police included batons, pepper sprays, tear sprays, bean bag rounds, rubber bullets and tear gases. All these are non-lethal weapons comparable to those used by the enforcement agencies of overseas countries for dealing with similar violent situations.

If there is any dissatisfaction with the Police operation, the Complaints Against Police Office will conduct a fair and just investigation upon receipt of the complaint. The result of the investigation will be reviewed by the statutory Independent Police Complaints Council. As such, it is not appropriate for me to comment on individual cases. However, with regard to the use of weapons, the Police have clear guidelines and sufficient training. When firearms are used, in accordance with the Police's guidelines, the centre body mass will be aimed, so as to effectively stop the attack.

On June 12 in Admiralty and its vicinity, we could all see on TV that some protestors launched violent attacks, disrupting the peace of society and charging police cordon line. It is the duty of the Police to stop such behaviours to safeguard people's life and property.

Our people have the freedom of assembly and speech. Participants of public events should, when expressing their views, be peaceful and orderly, and abide by the law. This is in line with the common good of the society. However, when violence occurs, it is the Police's duty to take lawful measures to ensure public order and public safety.

Thank you, President.