

LCQ1: Handling of public meetings and processions by Police

Following is a question by the Hon Shiu Ka-chun and a reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (June 27):

Question:

It has been reported that some secondary school students arrived at the Victoria Park in the afternoon of the 4th of this month to get themselves ready for attending the June 4th candlelight vigil to be held there that night. During that time, a woman, for the reason of compiling statistics on the number of participating students, enquired with those students and jotted down the names of the schools they were attending, and she refused to disclose her identity to the reporters. Albeit not wearing a police warrant card, the woman was not stopped when she entered the Police Command Post on the spot. In this connection, will the Government inform this Council:

(1) whether the aforesaid woman is a police officer; if so, of the duties she was discharging at that time and why she was not wearing her police warrant card; if not, the reasons why she was not stopped when she entered the Police Command Post;

(2) whether the Police will deploy plainclothes police officers to compile statistics on the number of students participating in public assemblies; if so, of the number of participating students in the past five years; if not, how it prevents lawbreakers from collecting the personal data from students under the guise of compiling statistics; and

(3) of the ranks of police officers who are generally deployed by the Police to assess the number of participants of public assemblies, and whether they will also collect the personal data of the participants; if so, of the items, uses and retention periods of the data collected, and the measures to prevent such data from being misused?

Reply:

President,

Hong Kong residents enjoy freedom of peaceful assembly, of procession and of demonstration. Over the past five years, a total of about 38 000 public meetings and about 6 000 public processions were held in Hong Kong, i.e. a daily average of 24 public events of different scales. The Police have always handled public meetings and processions in a fair, just and impartial manner in accordance with the law. They also endeavour to preserve public order and public safety by striking a balance between ensuring the smooth progress of lawful and peaceful public events and minimising the

inconvenience which they caused to other members of the public or road users.

To ensure that public events, particularly large scale assemblies and demonstrations, will not cause disorder, as well as to reduce public order and security risk, the Police have a duty to take lawful measures to manage such events as appropriate.

In handling each public event, the Police will first conduct a comprehensive risk assessment in order to formulate an overall strategy comprising staff and equipment deployments as well as contingency plans. The Police will take into account the number of participants and information provided by the organisers, past experience in handling events of similar nature or scale as well as other risk considerations in assessing necessary crowd management measures, road traffic arrangements and manpower deployment and division of work. To devise appropriate crowd management measures, the Police will implement special crowd control and arrange different routes for the participants' entry into the venue or access to the starting point of the procession, etc. They will also coordinate with the Transport Department and other relevant departments on traffic and public transport services, including diversions of and time restrictions on traffic.

The Police will communicate with the organisers on the detailed arrangements prior to the events. On the event day, the Police will maintain close liaison with the organisers and their marshals before, during and at the end of the event. The Police Field Commander and other personnel will keep observing and assessing the situation at scene, stay alert and adopt necessary response measures in light of the actual environment to ensure that the public event concerned can be conducted in a safe and orderly manner.

My consolidated reply to Hon Shiu Ka-chun's questions is as follows:

In the evening of June 4 this year, a large scale public assembly was held in Victoria Park. According to the Police's statistics, about 17 000 people attended the assembly that evening. To facilitate the holding of the assembly, crowd safety management measures and special traffic arrangements were implemented by the Police at the streets in the vicinity of Victoria Park (Gloucester Road, Sugar Street, Paterson Street, Kingston Street and Great George Street). The Police also designated the South Boulevard and Middle Boulevard of Victoria Park as the emergency vehicle access so that emergency vehicles might reach the park quickly and provide emergency services to people in need as and when necessary. On that day, the Police made use of an underground multi-functional room adjacent to the tennis courts in Victoria Park, which belonged to the Leisure and Cultural Services Department, to set up a Provisional Police Command Post so as to facilitate the command of the front-line work and deployment of manpower. Beside police officers, representatives of other Government departments and authorised persons participating in the operation on that day might also gain access to that Command Post.

Similar to their handling of ordinary large scale public meetings and processions, on that evening the Police deployed police officers from various

units to implement crowd control measures and traffic diversions, maintain public order at the venue and its environs, prevent crimes and safeguard public safety. On that day, the Police implemented special traffic arrangements and crowd management measures beginning from 4pm, the public entered the venue from 6pm onward, the assembly reached its peak at around 9pm and people began to leave when it came to an end at about 10pm. The entire operation lasted for more than six hours. At each stage the Police had to assess whether there would be problems of over-crowdedness, congestion or collision crowds of people, whether unlawful elements would take advantage of the crowdedness to commit crimes of theft or offences against the person, and whether there would be any confrontation or trouble-makers deliberately provoking others to charge and act violently. As there were many people at the venue, it would be easy to cause chaos instantly and thus endangering the people there. Therefore, it was necessary for the Police to deploy adequate manpower on that day to ensure the overall safety of the event and participants and to minimise the threats of crimes. While uniformed officers were responsible for crowd control, traffic control, etc., plainclothes officers were engaged in on-site observation and anti-crime duties, as well as the identification of suspected persons such as pickpockets, persons in possession of offensive weapons and persons who committed offences against the person.

The woman referred to in the media report mentioned in the question was one of the plainclothes police officers deployed to work on the spot. The Police's operational details on that day form part of the operational deployment and it is inappropriate for me to disclose.

As for the disclosure of a plainclothes officer's identity and production of his/her warrant card, a plainclothes officer shall identify himself/herself and produce his/her warrant card when exercising his/her police powers according to the prevailing requirement.

Regarding the Hon Shiu's question about the Police's compilation of statistics on the number of participants, since the number of participants in public events will have direct impact on public order, safety and related risks, the Police will compile relevant statistics to facilitate the effective management of public events. The ranks of police officers deployed to assess the number of participants depend on the scale of the event. During the public assembly on June 4, the Police deployed officers to assess the overall number of participants. However, they did not make separate assessments on the number of students or any specific groups, and therefore such breakdowns are unavailable. The Police assess the number of participants for the purposes of taking effective crowd management measures, directing and diverting people flow and keeping the order at the scene. The officers on the spot have to report information like the number of participants, movement of people flow and crowd sentiment so as to gain a clear picture of the situations at the scene for the purposes of making suitable manpower deployment, taking corresponding crowd management measures and formulating contingency plans. Such information does not contain any personal particulars. If members of the public suspect that their personal particulars are collected illegally, they can complain to the Privacy

Commissioner for Personal Data or seek assistance from the Police for follow up actions. If members of the public are dissatisfied with police officers' discharge of duty, they can complain under the existing complaint mechanism. The Complaints Against Police Office (CAPO) will process such complaints and then conduct independent investigations, while the Independent Police Complaints Council will examine the CAPO's investigation findings so as to ensure that the complaints are handled in a fair and just manner.

From the perspective of public order and safety, large scale public assemblies, processions and demonstrations usually involve risks. In case an incident occurs, the situations may change rapidly and threaten safety of the persons. The Police have the responsibility to deploy suitable and sufficient manpower, including officers of different ranks and units, for such activities, take all practical and legitimate measures to regulate the flow of people and traffic, maintain the order of the activities and safeguard the safety of participants.

Thank you, President.