

LCQ22: Arms and ammunition used by Police

Following is a question by the Hon Hui Chi-fung and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (November 27):

Question:

Regarding the arms and ammunition (including tear gas rounds, rubber bullets, bean bag rounds and sponge rounds) used by the Hong Kong Police Force, will the Government inform this Council:

- (1) of the quantity, name of manufacturer and place of origin of each type of the arms that each operation unit is equipped with (set out in tables);
- (2) whether the Police have kept a record of each police officer's use of arms on each occasion and the reason(s) therefor; if so, of the details; if not, the reasons for that;
- (3) whether the Police have put in place measures to ensure that all ammunition in stock is within the expiry dates set by the manufacturers; if so, of the details; if not, the reasons for that;
- (4) of the Police's considerations for determining the ways to handle the expired ammunition, and whether police officers used any expired ammunition while on duty in the past six months; if so, of the reasons for that;
- (5) as some reporters picked up at the scenes of demonstrations some shells of tear gas rounds with the expiry dates scratched off, whether the Police have concealed its continued use of the expired tear gas rounds by scratching off the expiry dates on them; and
- (6) as the Commissioner of Police has appointed, under section 40 of the Public Order Ordinance (Cap 245), a batch of officers of the Correctional Services Department as special constables, of the difference between such special constables and police officers in terms of their arms while on duty?

Reply:

President,

It is the Police's statutory duty to maintain public safety and public order. When situations severely threatening public order and public safety occur, such as illegal road blockage, paralysed traffic, unlawful assemblies and violent charging of police cordon lines, the Police must take appropriate actions to maintain law and order and ensure public peace. The Police have stressed that if members of the public could express their views in a

peaceful and rational manner, the Police do not have to use any force.

The Police have very stringent rules and guidelines on the use of firearms. In general, police officers may use firearms to protect anyone, including themselves, from the threat of death or serious injury. Police officers will give verbal warning prior to the use of firearms as far as circumstances permit and, where practicable, give the person(s) being warned every opportunity to obey police orders before using firearms.

Every police officer, whether newly recruited or serving, has to go through rigorous training on the use of force in order to fully understand how to use different levels of force in a safe and effective manner, thereby achieving the related lawful purpose.

My reply to the various parts of Hon Hui Chi-fung's question is as follows:

(1) and (2) On the procurement of equipment and ammunitions, the Police have been sourcing globally for safe and suitable equipment and ammunitions in accordance with the established procedures to meet their operational needs. As the procurement details of the equipment used by the Police involve operational deployment, it would be inappropriate to disclose such details as it would affect the Police's operational capability. The Police have in place strict rules and clear guidelines on the use of firearms. Police officers must report to their supervisor after using firearms in their operation. The Police will continue the safe use of firearms in accordance with the manufacturer's guidelines and internal ones.

(3) to (5) The Police have prudent and strict guidelines on the use of force. Police officers will only use appropriate force when it is necessary. The Police use force in response to the prevailing situation; the location and extent of the use of force depend on the acts of the suspected unlawful person(s) and the actual circumstances at the scene.

Regarding the community's concerns about the Police's use of expired tear gas earlier, the Police have contacted the ammunitions manufacturer concerned and received confirmation that the tear gas could still be effectively used in operations after the indicated expiry date. Expired tear gas will only increase the possibility of launch failures but will not pose further harm to the surrounding people and environment. Despite having the confirmation of the ammunitions manufacturer, the Police have clearly indicated at different occasions that in response to public concerns and having regard to the Police's overall operational efficiency, they have ceased to use expired tear gas since August 12, 2019.

(6) The ongoing riots over the past few months, with their massive scale, simultaneous occurrence in various districts and grave severity of violence, make it necessary to strengthen the support for front-line police officers. The Commissioner of Police, authorised by the Chief Executive under section 40 of the Public Order Ordinance (Cap 245), has appointed in writing a batch of Correctional Services Officers (CSD Officers) as Special Constables so as

to strengthen the manpower and strength of the Police force. In accordance with the operational needs of the Police, CSD officers appointed as Special Constables on this occasion are mainly responsible for guarding government premises as specified by the Commissioner of Police currently. Their duties include anti-riot operations, handling of emergencies, etc. Special Constables may use appropriate force when necessary. As details of the firearms used by Special Constables involve operational deployment, it would be inappropriate to disclose such details in order not to affect the Police's operational capability.