

LCQ4: Specialised crowd management vehicles

Following is a question by the Hon Ip Kin-yuen and a reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (November 27):

Question:

The "anti-extradition to China" movement, which was triggered by the Government forcefully pushing the proposals to amend the law concerning surrender of fugitive offenders, has been going on for nearly six months. It has been reported that when the Police deployed specialised crowd management vehicles (commonly known as "water cannon vehicles") to disperse the crowd by spraying colourless or coloured pepper based solution, there were from time to time innocent people being hit by the sprayed water. In this connection, will the Government inform this Council:

(1) whether, when the Police deployed a water cannon vehicle to disperse the crowd in Tsim Sha Tsui on the 20th of last month, the target of attack of the water cannon vehicle was the 10-odd people (comprising a Member of this Council, journalists, members of the ethnic minorities and other members of the public) outside the entrance of the Kowloon Mosque, or the Kowloon Mosque, and the justifications for choosing such target of attack; why coloured pepper based solution was chosen for use on that day; whether the police officers concerned operated the water cannon vehicle on that day in accordance with the relevant guidelines; if they did, why some innocent people were hit by the coloured water; if not, whether the Police will institute disciplinary proceedings against the police officers concerned;

(2) given that on the night of the 11th of this month, a staff member of a pharmacy who had, out of anger about the goods of the pharmacy having been sprayed wet by a water cannon vehicle, thrown goods at that water cannon vehicle, was subsequently attacked with pepper balls and arrested by the Police, of the reasons why the Police sprayed pepper based solution at the pharmacy; whether it knows if the said staff member was injured; if he was, of the injuries he sustained; of the Police's specific measures to ensure that religious venues, shops, vehicles, journalists, and passers-by not involved in demonstrations will not be endangered when water cannon vehicles are deployed in future; the ways by which members of the public whose bodies or properties have been wrongfully hit by the water sprayed from a water cannon vehicle may claim compensations; and

(3) given that when the Police dispersed the crowd outside The Hong Kong Polytechnic University on the 17th of this month, a water cannon vehicle sprayed water at the direction of some journalists, hitting a journalist who then fell onto the ground, suffered from shock and underwent an operation immediately necessitated by skull fracture and cerebral haemorrhage, of the

reasons why the water cannon vehicle sprayed water at the direction of the journalists, as well as the latest condition of that journalist and the work for dealing with the aftermath; whether the Police will institute disciplinary proceedings against the police officers who operated the water cannon vehicle on that day?

Reply:

President,

It is the Police's statutory duty to maintain public safety and public order. When public safety and public order are severely threatened by situations such as illegal road blockage, paralysed traffic, unlawful assemblies, arson, hurling of petrol bombs and violent charging of police cordon lines, the Police must take appropriate actions to maintain law and order and safeguard public peace.

The Police have strict guidelines on the use of force. Police officers may use appropriate force only when it is necessary. Police officers will give various warnings prior to the use of force as far as circumstances permit, and give the person(s) being warned every opportunity to obey police orders.

The specialised crowd management vehicle (SCMV) is one of the Police's operational options. It is used by the Police to disperse those engaged in violent charging, stop acts which seriously jeopardise public safety and public order, as well as create a safe distance between protesters and police officers to reduce their chance of injury.

The Police have strict regulations on the use of SCMV's water spray device. SCMV will be used when the following circumstances may occur or have occurred:

- (1) serious injury or loss of life;
- (2) widespread destruction of property; or
- (3) disruption or illegal blockage of traffic by occupation of major thoroughfares resulting in significant consequences on public order and/or public safety.

The colourant used in SCMV's is non-toxic and will not cause bodily harm or pose risks to public health. The purpose of spraying colourant on the clothes and skin of protesters is to facilitate the Police in determining whether a person was at the scene of the violence or unlawful assembly.

I must point out that the Police use force in response to the prevailing circumstances; the location and extent of the use of force depend on the violent acts and the actual circumstances at the time. If members of the public could conduct public order events in a peaceful, lawful and orderly manner, there would be no need for the Police to use any force.

My reply to various parts of the question is as follows.

(1) On October 20, there were violent protests and vandalistic acts in various districts of Kowloon. In the afternoon, some people, in defiance of the law, illegally appealed to the public to participate in an assembly in Tsim Sha Tsui district which has not been authorised by the Police. A large number of protesters occupied roads in the vicinity of Tsim Sha Tsui. Some rioters hurled numerous petrol bombs at Tsim Sha Tsui Police Station, as well as set up roadblocks with miscellaneous objects and burnt objects in Mong Kok and Yau Ma Tei. The rioters' acts of arson seriously threatened the personal safety of people at the scene, ignoring the risk of spreading fire to residences nearby. In light of the needs of the circumstances, the Police deployed an SCMV to disperse the crowd in the vicinity of Nathan Road.

During the dispersal operation, the SCMV issued warnings and sounded the siren. The gathering crowd should leave upon such warnings. As the water to be sprayed covered a considerable area, anyone staying in the area would likely be sprayed. The main entrance and gate of the Kowloon Mosque as well as some people nearby were sprayed by the coloured water during the dispersal on that day.

Subsequently, the Chief Executive and the Commissioner of Police met a number of representatives of the Incorporated Trustees of the Islamic Community Fund of Hong Kong and other leaders of the local Muslim community to explain the Police's operation and offered apologies for the impact arising from the operation. The Complaints Against Police Office (CAPO) has received two complaints regarding the incident and will handle the cases properly in accordance with the established mechanism. Earlier, the Police have also offered apologies for the impacts on other premises, tenants and residences along the route arising from the use of coloured water in the law enforcement operation on that day.

I would like to reiterate that the Police respect religious freedom and have no intention whatsoever to offend any religious organisations. The Police will, as always, spare no effort in protecting religious premises.

(2) and (3) On November 11, some netizens initiated an "all-in strike" movement on that day. Starting from early morning, a large number of people engaged in violent acts like blocking roads, arson and wanton destruction in multiple locations across the territories. In the evening, some rioters gathered, seriously blocking roads and went on a rampage around Mong Kok. On November 17, a large number of rioters occupied the roads outside the Hong Kong Polytechnic University, blocking roads illegally and hurling petrol bombs, thereby causing severe damage to public peace and posing serious threat to the personal safety of all those at the scene. In the operations on those two days, the Police had deployed SCMVs to disperse the crowds with a view to handling the violent situations.

Regarding the incident on November 11 as mentioned in Member's question, since the criminal case involved is still under investigation, it is not

appropriate for me to make further comments on the details of the case. As for the incident on November 17 mentioned in the question, I note that although the media have made relevant reports, the Police have not yet received any complaint in relation to the incident and have no relevant information in hand. In any case, any people who are unsatisfied with the operations of the Police may file relevant complaints and claims with the Police. CAPO has set up a designated team to handle the complaints relating to the major public order events that took place since June 9 this year. To ensure that the complaints are handled properly, members of the designated team did not participate in relevant operations of the public order events concerned. Those individuals who are injured as a result of a crime of violence or law enforcement actions may consider if they are eligible under the Criminal and Law Enforcement Injuries Compensation Scheme to apply for compensation.

As mentioned above, when using SCMV's, the Police will alert the people to disperse by issuing warnings and sounding the siren. Since the water to be sprayed will cover a considerable area, crowds remaining in the area are likely to be sprayed. The Police will learn from the experience of each operation, so that they could meet the enforcement or operation needs while reducing any possible inconvenience caused.

Thank you President.