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25 June 2002

Clerk to Panel on Security
(Attn: Mr Raymond LAM)
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road
Hong Kong

Dear Mr Lam,

Legislative Council Panel on Security

Thank you for your letter of 31 May (Ref.: CB2/PL/SE), requesting the Administration's responses to several matters arising from previous meetings of the Panel. Our response to Item 11, which is about Police operation in Chater Garden on 25 April, is set out below:

Police guidelines on handling the media

As requested, the guidelines on handling the media set out in Force Procedures Manual are enclosed.

Arrest of eight persons on 24 April 2002

On 24 April 2002, the vehicle of Secretary for Security was besieged by the Right of Abode claimants and their supporters. Consequently, eight persons were arrested. They were handcuffed in the course of arrest.

Handcuffing of two members of the media

During the clearance operation in Chater Garden on 25 April 2002, two members of the media were handcuffed. As the complaint arising from that incident is being investigated by Complaints Against Police Office, it is inappropriate for us to comment in detail on the circumstances leading to the use of handcuffs on that day.

The Police do not keep record of occasions on which members of the media were handcuffed.

Whether Police General Orders could be publicized

Police General Orders (PGO) is a restricted police document for internal use only. It touches on the details of policing work. If the full set of orders is made freely available to members of the public, it may be subject to potential misuse. It is also inappropriate to publicize the document as this may hinder or prejudice the efficient conduct of the Force's operations. However, requests for release of certain provisions of the PGOs will be considered on a case-by-case basis.

Yours sincerely,

(Miss Pamela LAM)
for Secretary for Security

Encl

b.c.c. C of P (Attn: Mr LEE Wai-lam)
SPO(S)
SBCR4/57/581/76

Fax No. 2123-9041

Extracts from Chapter 39 of Force Procedures Manual

39-06 Communication Between Police Officers and the Press and the Handling of News Media Representatives

Public support is necessary to enable the Police to carry out their duties effectively and it is vital to establish and maintain the confidence of the public in the Force and project a good image. The public depends upon the media for news and information; the deeds of the Force must be publicised. To achieve a good and fair presentation, good co-operation and communication between the media and the Police is essential.

2. Photographers and TV cameramen in particular should be given an opportunity to have vantage points; they have the right to take photographs or TV footage in a public place. The officer-in-charge of an incident should consider the provision of an outer-cordon which restricts the general public and of an inner-cordon or an area which gives advantage to members of the media and their photographers. This will result in more positive reporting and reduce friction with media representatives.

3. If it is necessary for operational reasons to restrict the photographing of suspects, victims or witnesses, other methods to preserve the identity of the subjects are to be employed. This procedure is to be read in conjunction with FPM 49-09.

4. Police officers should not grant permission to media representatives to enter any premises after the conclusion of an investigation. Any media representative who wishes to gain access to such premises must obtain permission from the occupier; nothing should be said or done by police officers to influence the occupier's decision.

5. Whenever possible, a PPRB incident officer equivalent to a CIP is sent from the Branch to liaise with the Police Incident Commander to facilitate members of the media covering the incident. Once the initial facts of the incident have been ascertained, the commanding officer should hold an on-the-spot media briefing to release facts; conclusions should not be drawn in the early stages. Where the attendance of a PPRB incident officer is not requested nor required, the OC incident should keep the PPRB Newsroom informed of the situation and developments. This enables the PPRB Newsroom to take appropriate action in the event of subsequent media interest. Police incident officers are to give every possible assistance to the PPRB officer attending the scene. The PPRB officer is also to give every possible assistance to the police officers at the incident.

6. At incidents which give rise, or are likely to give rise, to comment about Police action, the District Commander/Deputy District Commander or Divisional Commander/Assistant Divisional Commander and/or the Police Community Relations Officer should attend the scene as soon as possible. An evaluation of the incident or situation is to be made and, in consultation with PPRB, consideration given to an early issue of a press statement and/or the convening of a press conference or briefing for the media.

7. If media queries are received relating to any incident or situation they must be dealt with expeditiously and officers receiving them should consider whether the matter directly relates to Force policy or to a local situation or incident. When a policy matter is raised, the officer

contacted may reply (bearing in mind the provisions of PGO 39-06 paragraph 3); if in doubt he takes note of the questions and consults CIPO or PIO M for an immediate reply, or if the matter is not pressing, simply refers it to PPRB. If the question relates solely to a local situation or incident, the officer may reply direct or give an interview but must take care not to comment on matters that may be sub-judice.

8. Any request for a media facility, for example a visit to a Police Formation or interviews with police officer may be referred to CIPO/PIO M for advice. Questions for interviews with police officers must be obtained in advance and answers with policy implications must be cleared with the relevant policy wing commander beforehand. Press conferences and briefings may be arranged by PPRB to publicise good arrests and successful Police operations or to deal with important incidents. If in any doubt, officers should consult CIPO/PIO M.

9. All requests from the media to film or cover police operations must be referred to CSP PR for a decision. Should approval be given, an officer will be assigned to accompany the crew during the filming or coverage of the operation. Members of the media organization must not be allowed to accompany the police party when entering any premises because they do not have any power of entry under the law. The permission of the owner/occupier of the premises must be obtained if entry to the premises is required.

10. Media reports on public statements or speeches by police officers serve the purpose of keeping the public informed of matters of Force policy, action, advice and activity. Formation Commanders are to ensure that an officer selected or invited to give a public speech or briefing is well suited for this purpose and is well informed on the subject matter. Scripts or outlines of speeches for pre-planned briefings or speeches should be forwarded to CSP PR well in advance in order that any comments referring to Police policy or statistics can be confirmed. PPRB keeps a record of all such briefings and speeches.

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