

**LegCo Panel on Public Service
Meeting on Monday, 21 June 2004 at 10:45 am
in the Chamber of the Legislative Council Building**

**Agenda Item IV
Study on the Civilianization Potential
in Disciplined Services Departments**

Views of the Police Force Council Staff Side

Introduction

To begin with we would like to stress that we value the huge contribution civilians make to the smooth running of the police and we accept that, in general, police officers should not be deployed on tasks that do not require the exercise of powers, or police experience or expertise. Examples in point are the employment of traffic wardens and police communications officers. In all measures, we regard civilians as our equal partners in the task of delivering the highest possible standards of service to the public.

More importantly, we believe the Public Service Panel should recognize the big civilianization strides that Force Management has made over the years vide numerous Police Study Teams' projects and various groundbreaking initiatives under the EPP and ESE.

The Administration's Civilianization Initiatives

The commencement of the current civilianization study as a corollary of the Force's last application for recruitment exemption is demonstrably obtrusive. It seems that the Force's past efforts in this regard have not been recognized and the Administration is keeping on unreasonable rein on Force's perfectly legitimate and reasonable request.

Regrettably we can see that the current civilianization study is, in great measure, meant to address staff surplus in the clerical and secretarial grades at the expense of efficient and effective policing. It is driven by true realization of the whole landscape of increased public expectations and demands on the police, or without proper consideration of the medium to long-term consequential impact on future policing. It is expedient without realistically considering the larger picture and practicalities of any sort – except the cutting back of the number of sworn officers to save budgets. We truly believe that civilianization with such an agenda will bring about dysfunction in the Police Force. Are we sure this is what our community want to see happen?

We would like to point out that the Force is facing an average of over 700 retirees each year and the recruitment freeze imposed last year has already begun to emerge serious manpower implications. As a matter of fact, with the partial exemption, the Force is still short of 500 police officers since the last recruitment exercise. In a few years' time, the vacancy will continue to rise and this would impact the law and order situation in Hong Kong.

The current civilianization study, as we see it, is not a solution to the current acute shortage of police manpower. We fail to see any comprehensive strategy of the Administration for dealing with this important and far-reaching issue of civilianization and it has been presented in a piecemeal, disjointed and patchy fashion. These are opportunistic measures. We honestly believe that since the result of this civilianization study will unquestionably impact the livelihood of the community, especially at a time when the crime situation is not showing signs of sustained abatement, we therefore consider it necessary and prudent to canvass public views.

It is not in dispute, we believe, that the stability of the HKSAR counts on police officers who, by virtue of their oath, have no right to take an active part in politics, no right to belong to a trade union, and no right to take industrial action. Put it simply, they do not enjoy the civil rights that apply to the rest of society. Civilian employees of the Force are, however, very different from us since they are able to take action of this kind. If anyone believed that, in this day and age, the prohibition of union membership and industrial action is a minor distinction between sworn officers and non-sworn civilians, let them reflect on this.

It remains the case that there are bureaucrats who have, though no fault of their own we hope, failed to define police officers. They are losing sight of what a police officer is. With wrong definition comes misguided policy and shrinking horizons. The objective becomes policing on the cheap since this is their foregone objective. We feel that in thinking about the future it would be too dangerous a mistake to over-emphasize civilianization and minimize continuity. This is a particular danger when attempting to offer ideas about future directions in policing.

Before we go on further, we believe it is important that we must understand the current position of civilians in our Force. By all accounts, it is not a case that we do not have enough civilians. We have over 5,200 of them, the size of a small department. It is, when read in perspective, a case of how the Administration should, as we have stated in the beginning, address the surplus civilians identified through out the civil service. We understand that we should not only concern ourselves with problems, we must be a part of the solution, and it is in that spirit that we will present our case.

Core Issues of Civilianization

It is a fact that members of the Force receive regular briefings from Force Management on the progress of the study and we understand that our concerns have been studied and addressed. Nevertheless, as we see it, the current civilianization study is born of an overhanging desire to find a quick fix solution. It does not mark a resolution of the problems of surplus civilians but merely shifts the issue into high gear.

Apart from the four ESE principles which have been adopted by the Efficiency Unit's Civilianization Study Team on civilianization, we would also like to raise the following core issues, which if not properly dealt with, could precipitate serious consequences that are potentially damaging to the stability of the HKSAR:

Staff Morale & Promotion Prospect

- (a) Promotion and selection procedures within the Force have to face a total revamp.
- (b) The creation of a second tier policing which is, inescapably causing division and creating tension.
- (c) Civilianization will not enhance the quality of the higher ranks of the service, and at the same time dilute the career opportunities and incentives of the lower ranks. This applies to police officers and civilians alike.
- (d) There will be a concomitant impact on promotion prospects and staff morale.

Impact on Public Order

- (a) The concomitant shrinkage of the visible presence of police officers on the streets.
- (b) Replacement civilians cannot take immediate action when a crime or disorderly behaviour is going on in their presence, except to send for the police.
- (c) Can we be sure that in the future, after we have travelled further down the civilianization road, that extra police officers are readily available to come to the forth as agents of the last resort?
- (d) To cope with the ever increasing workload, it is inescapable that we have to give civilians broader power but that would be totally wrong and confusing for the public. Who shoulders the vicarious liability when civilians are acting ultra vires?

Management Considerations

- (a) The limited skills of civilians could prevent Force Management from their instant redeployment and transfers like police officers.
- (b) In pursuing the commendable objective of releasing police officers for operational duties, we must not lose sight of the reasons why some police

officers need to be retained in areas that would not at first sight appear to fit the definition of what is operational.

- (c) Civilianization impacts tremendously upon disabled officers or health impaired officers and those who are no longer fit for active police duties. We have had a long-standing problem with health-impaired officers who have been injured on duty. Previously, such members could be found non-operational posts but with increasing civilianization, this had often not been possible. Can we then simply deploy them in operational posts regardless of the consequences? Can we force them to retire on medical grounds, which is going against Government's policy on recruitment of health-impaired persons?
- (d) Force management should be allowed to retain autonomy over selection and recruitment of civilian replacements.

Conclusion

We recognize that civilianization is a way to enhance utilization of resources, but it should not be otherwise used as an expedient measure designed to help the Government get out of a situation of its own making. We feel that the final proposals and unduly must take into account of all the core issues above and must not be hastily implemented. As otherwise it will bring about a deleterious effect on police efficiency and morale, which will inevitably lead to a serious decline in the law and order situation. This kind of decline Hong Kong can ill afford.

*Police Force Council Staff Side
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