

政府總部
香港下亞厘畢道



GOVERNMENT SECRETARIAT
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4 December 2007

Clerk to LegCo Panel on Security
Legislative Council
3/F Citibank Tower
3 Garden Road
Central
(Attn: Mr Raymond Lam)

Dear Mr Lam,

**Panel on Security meeting on 4 December 2007
Response to a letter from organization**

Thank you for your letter of 27 November 2007. On the letter from "Zi Teng" attached thereto, the response of the Administration is as follows.

In a paper submitted to the Panel in April 2006 and a supplementary paper submitted in September of the same year, the Administration explained the Police's policy in their combat against illegal prostitution activities and the need for undercover operations in this connection. The undercover activities target those controlling prostitution and keeping vice establishments, and aim at collecting evidence for offences suspected to have been committed. The Police have drawn up adequate regulatory measures and guidelines for such operations to prevent abuse.

For the purpose of investigating crimes and preventing any illegal acts (including criminals forcing or controlling sex-workers to engage in prostitution), the Police interview sex workers or users of the relevant premises on a need basis to gather information and take statements from them as necessary. Such interviews are conducted on a voluntary basis and the persons interviewed may terminate the interview anytime as they wish.

Regarding the procedures for handling arrested persons and the arrangements related to body searches, the Police have in place appropriate orders for compliance by police officers. Specifically, the practices of the Police regarding the handling of searches of detainees are set out in the paper submitted to the Panel for discussion at the meeting of 30 October 2007. The searches must be conducted in accordance with the Police orders. In this regard, the Police is conscious of the duty of care that they have towards persons detained in police custody, and in addition to ensuring that the detainees are detained in a safe environment. Equal importance is placed on ensuring that the detainees' rights as individuals are observed. The Police will keep their orders under review and revise these as and when the need arises.

Complaints against the Police are handled by the Complaints Against Police Office (CAPO). The CAPO is under a separate chain of command from the other frontline and operational units with the Force. This has organisationally ensured that investigations into complaints are conducted in an independent and impartial manner. CAPO regularly informs the complainants of the progress of the investigations. The investigation results of all reportable complaints are subject to the monitoring and review of the Independent Police Complaints Council (IPCC). To enhance the independence and transparency of the IPCC and to increase public confidence in the police complaints system, the Administration has introduced a bill into the Legislative Council to establish the IPCC as a statutory body. The Legislative Council has formed a Bills Committee to scrutinize the bill and deliberations are underway.

Zi Teng's letter referred to a number of allegations from sex workers against the Police related to abuse of power and inappropriate handling of complaints. We hope that the individuals concerned can provide the Police with further information on the cases so that the Force can take follow-up action accordingly.

Yours sincerely,

(Hubert Law)
for Secretary for Security