

**For discussion
on 29 June 2009**

Legislative Council Panel on Security

Police's Handling of Cases of Violence against Well-known Personalities and Civil Servants in their Performance of Duties

Purpose

As requested by Members of the Panel on Security, this note sets out the following information –

- (a) a breakdown of cases of violence and criminal intimidation against well-known personalities and civil servants in their performance of duties, the outcome of investigations, and the respective detection rates for the past five years;
- (b) the handling by the Police and the enforcement issues; and
- (c) the exchange of information in respect of such cases with the law enforcement agencies of other places.

Cases against “Well-Known Personalities”

2. The Police's crime database does not maintain separate statistics on cases of violence and criminal intimidation against so-called “well-known personalities”. Through a search of their records on a best endeavour basis, the Police have identified a total of 43 such reported cases from 2005 to 2009 (up to April 2009). For the purpose of this search, the Police have searched for cases that involved or targeted such personalities as Legislative Council Members, public affairs commentators and social activists.

3. A breakdown of the search findings by year and the outcome of the Police's investigation are set out below –

	2005	2006	2007	2008	2009 (up to April)
Reported cases	3	8	21	11	0
Detected cases	2	4	7	4	0
Detection rate	66.7%	50.0%	33.3%	36.4%	N.A.

Cases against Civil Servants in their performance duties

4. The number of criminal intimidation cases occurring from 2005 to 2009 (up to April 2009) against civil servants related to their performance of duties are set out below –

	2005	2006	2007	2008	2009 (up to April)
Reported cases	26	24	21	14	6
Detected cases	25	22	16	12	6
Detection rate	96.2%	91.7%	76.2%	85.7%	100.0%

5. The Police do not have readily available statistics on cases involving violence against civil servants. This is because crime statistics are kept on the basis of the nature of offences and many offences may involve violence. In this regard, Labour Department also keeps statistics on occupational injuries involving workplace violence in the government sector. The figures are as follows –

	2004	2005	2006	2007	2008
occupational injuries¹ involving workplace violence² in government sector³	246	245	236	225	212

¹ Occupational injuries (including industrial accidents) are injury cases arising from work incidents, resulting in death or incapacity for work of over three days, and which are reported under the Employees' Compensation Ordinance.

² Workplace violence includes assault, deliberate kicks, bites, punches, pushes, etc. during the course of employment.

³ Before 2006, the statistics kept by Labour Department on occupational injuries involving workplace violence in the government sector are confined to cases involving civil servants only. Since 2006, the scope of statistics has been expanded to cover cases involving the following categories of government employees: civil servants, ICAC officers, judges, judicial officers and non-civil service contract staff.

This notwithstanding, we are unable to confirm whether the violence arose in the course of the civil servants' performance of duties in each case.

Procedures for case handling

6. On receiving a report of criminal intimidation or violence, irrespective of whether the case involves a well-known personality, a civil servant or any other person, the Police will conduct a thorough investigation into the case in order to bring the attacker to justice. This involves taking statements from relevant parties, locating witnesses, gathering evidence at scenes of crime, establishing the culprits' profiles, analyzing their modus operandi, etc. Depending on the evidence available and subject to legal advice, the Police may arrest and lay charges against the persons concerned.

7. Furthermore, for the protection of the safety and well-being of witnesses and victims of crime, should there be indications or suggestions that there is a threat of injury to a witness or victim, his family and/or his properties, the Police will assess the threat and take appropriate actions commensurate with the assessed threat level. These actions include, for example, providing protection, and enhancing patrol at the residence and/or work place of the witness or victim. Where the witness or victim is subject to a real and prolonged threat of serious physical injury, he would be offered protection under the Witness Protection Programme as necessary in accordance with the Witness Protection Ordinance (Cap. 564).

8. The majority of the criminal incidents against Members of the Legislative Council and, for instance, well-known personalities involved vandalism of publicity banners or causing nuisance to the complainants. The Police attach importance to these incidents and adopt a proactive approach in their investigation. Since early January 2008, the Police have assigned an officer of Assistant Commissioner Rank to give direction on the handling of such crime information or reports and to instruct officers of the appropriate unit for follow-up action.

9. Subject to relevant information that may be provided by the victims, the difficulty to establish any direct links between the culprits and the victims as well as the often limited information available regarding the incidents make the investigation of such cases particularly difficult. This notwithstanding, the Police are obliged to conduct thorough investigation into all such crime reports, and would not hesitate to put in extra resources for the investigations on a need basis.

Exchange of Information with the Law Enforcement Agencies of Other Places

10. As a general practice, the Hong Kong Police exchange information with their counterparts in other jurisdictions through established channels for the purpose of maintaining law and order. Such cooperation takes place within the confines of the Basic Law and relevant Hong Kong laws. Similarly, the police authorities of other jurisdictions will provide reciprocal assistance to the Hong Kong Police, where appropriate.

**Security Bureau
Hong Kong Police Force
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