

The Civil Human Rights Front (CHRF) notes with regret the abusive power by the Hong Kong Police Force, which violates the provisions under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In September 2007, the CHFR Police power concerned group was formed to express our concerns on police power.

The CHRF is concerned about the unreasonable arrests to the Hong Kong people, especially those participated in peaceful assembly and demonstration. Violence is always involved during the arrests.

The CHRF is concerned about the power for the police to conduct search. The Police should conduct searches based on “reasonable suspicions”, but the facts tell us that the Police only conduct searches arbitrarily. What even worse is that, a group of volunteers were arrested in a peaceful assembly, and were strip searched during their detention. The new search guideline implemented on 1st July, 2008 allows the Police to strip-search all detainees. In other words, it legitimizes the Police’s abusive power and violates the detainees’ rights.

The CHRF is disappointed that the internal guidelines of the Police, namely the Force Procedures Manual is not available to the public, even our Legislative Councilors are not able to get access to it. Although the Police officers always claim that they are following the internal manual, but we actually do not know. We can only know the truth after the manual is disclosed.

The CHRF notes with regret that the minority groups such as sex workers and ethnic minorities are vulnerable to the abusive power by the Police. They are often humiliated by the Police with offensive and discriminating wordings. They are easier to be arrested, and they are always bullied in the police stations. Sometimes they are asked to be strip searched without an appropriate reason.

The CHRF unsatisfied the current complaint system of the Police. The Complaints Against Police Office is part of the Police force. Very often the complaints will be dismissed before a real investigation has been conducted. With the new Independent Police Complaints Council Bill (IPCC Bill) passed on 12th July, 2008, the existing IPCC will be transformed into an independent statutory body. However, the statutory IPCC shares the same fundamental flaw in denying the essential power of investigation, which makes it ineffective in monitoring the performance and conducts of Police.

The CHRF condemns the fabrication of evidence by the Police. Despite being a law executer, the Police are found to fabricate evidence in order to legitimize their unreasonable actions in some of the court cases. They tremendously obstruct the course of justice.

The CHRF have been conducting a research on the cases which Police power is abused. The details of the cases are attached for the consideration of the Committee. We wise the Committee could urge the Hong Kong Government to fully fulfill the obligations under the CAT by taking substantive measures to prevent the abusive power by the Police.

Civil Human Rights Front

22th October, 2008.