

(Translation)

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香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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17 July 2012

Mrs Sharon Tong
Clerk to the Panel on Security
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mrs Tong,

Motions passed under the agenda item “Security arrangements for public consultation sessions and forums conducted by the Government” at the special meeting of the Legislative Council Panel on Security on 15 September 2011

The response of the Security Bureau to the two motions passed at the special meeting of the Legislative Council Panel on Security on 15 September 2011 is at **Annex**.

Yours sincerely,

(Mrs Millie Ng)
for Secretary for Security

c.c.:

CP (Attn: Ms Winnie Chiu)

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At the special meeting of the Legislative Council Panel on Security on 15 September 2011, members passed the following two motions:

“The demonstrators’ confrontations at the public consultation on the replacement mechanism of the Legislative Council held on 1 September, resulting in scuffles with security guards and the participating members of the public, chaos caused by violent acts, damages of facilities and injuries of a number of staff members at the venue and suspension of the forum, could in no way be tolerated by the community and Hong Kong people and should be severely condemned. This Panel objects to any kind of violence and considers that various social sectors cherish and uphold the freedoms of speech and expression of views of Hong Kong people, and at the same time, support that activities of public meetings and public processions should be conducted in a rational, peaceful and non-violent manner. This Panel supports the Police to safeguard the human rights of members of the public and social order in Hong Kong continuously.”

“That this Panel and various social sectors are very concerned about demonstrators’ scuffles with security guards and the participating members of the public during their confrontations at the public consultation on the replacement mechanism of the Legislative Council held on 1 September, resulting in suspension of the forum, This Panel condemns this incident and any kind of violence that harms others physically and mentally, and considers that various social sectors should cherish and uphold the freedoms of speech and expression of views of Hong Kong people, and at the same time, exercise their civil rights in a peaceful and non-violent manner. The Government should also ensure that, by all reasonable means, all public consultations on social policies are democratic ones being conducted in line with the principles of openness, transparency, fair participation and impartiality, so as to avoid rejecting any views and stimulating social conflicts. Nonetheless, no violence should be allowed on any ground.”

The response of the Security Bureau to the above motions is as follows:

Police’s Handling of Public Meetings and Processions

2. The SAR Government always respects the rights of peaceful processions and meetings and expression of views. As Hong Kong is a crowded place, public meetings and processions will unavoidably affect

other members of the public or road users, and may have impacts on public order. In this connection, it is the Police's operational policy to endeavour to strike a balance by facilitating all lawful and peaceful public meetings and processions on one hand and, on the other hand, reducing the impact of such meetings and processions on other members of the public or road users to ensure public order and public safety. Participants of public meetings or processions, in exercising their freedom of expression, should, under the premise of observing the Hong Kong law and without affecting public order, proceed in a peaceful and orderly manner.

3. On occasions where the law is, or is likely to be, violated during the course of public order events by acts of individuals, especially when there are acts which may cause danger to others or lead to a breach of public order, the Police will make professional judgement based on the assessment at scene. When the circumstances so warrant, intervention actions will be taken in accordance with the law.

4. Several thousands of public meetings and processions are conducted in Hong Kong every year. For example, there were over 6 800 public order events in 2011, i.e. a daily average of around 18 events. Most of them were conducted in a peaceful and orderly manner.

5. In respect of the criminal damage case occurred during a forum on 1 September 2011, the Department of Justice has instituted prosecution. The case is still under judicial proceedings.

Security Bureau
Hong Kong Police Force

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