

Legislative Council
Subcommittee on Proposed Resolution under Section 37 of
the West Kowloon Cultural District Authority Ordinance (Cap. 601)

Follow-up to meeting on 14 March 2016

Incorporation of vision and mission in the West Kowloon Cultural District (Public Open Spaces) Bylaw (the proposed Bylaw)

Members' suggestion to incorporate the vision and mission into the proposed Bylaw has been well taken. The objectives of the West Kowloon Cultural District (WKCD) are already set out in section 4(2) of the West Kowloon Cultural District Authority (WKCDA) Ordinance. This provision is applicable to WKCDA in the management of public open spaces (POS) whether or not it is set out in the proposed Bylaw. As explained at the meeting of the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project on 23 March 2015, WKCDA has incorporated information on the Park's vision and mission into the guidelines for the use of the POS in WKCD.

2. During the drafting of the Bylaw, WKCDA attempted to address Members' suggestion by inserting a vision statement in the "enacting formula"¹ but as this is not consistent with the formal requirements of legislation in Hong Kong it has not been incorporated. As it is not usual to incorporate vision and mission or purpose statements as substantive provisions in subsidiary legislation, WKCDA proposes to incorporate the vision and mission statement as a preamble to the Bylaw as follows:

"WHEREAS -

- (1) The West Kowloon Cultural District Authority aims to provide or facilitate the provision of free and accessible open space within the leased area to the general public;
- (2) The West Kowloon Cultural District Authority aims to manage the open space in ways which aim to achieve the

¹ The enacting formula is the way of announcing the authority under which the law is enacted. In this case, the enacting formula is "(Made by the West Kowloon Cultural District Authority under section 37 of the West Kowloon Cultural District Authority Ordinance (Cap. 601) subject to the approval of the Legislative Council)".

mission for the open space to inspire, promote and encourage cultural pursuits for all.”

Given that persons authorized by WKCDA were empowered under section 23(5) of the proposed Bylaw to use “reasonable force” to remove a person suspected to have contravened the proposed Bylaw from WKCD POS, whether any guidelines would be provided to such authorized persons on the use of “reasonable force”, and if so, the relevant details

3. The following guideline as to what force may be used is provided to Park Ambassadors:

Force: An authorized person may use force as is reasonable in the circumstances in the prevention of crime or in effecting or assisting in the removal of a person from premises or the lawful arrest of offenders or suspected offenders or of persons unlawfully at large. The force should:

- be minimal and stop once the person is removed from the premises or arrested;
- not be served as penalty to his/her wrongdoing; and
- for the purpose of delivering the person to the Police as soon as possible (if applicable).

Search: Authorized persons have no right to search.

Whether there were/would be any guidelines on when and how the authorized persons should seek assistance from the Police in enforcing the proposed Bylaw, and if so, the relevant details

4. WKCDA will be empowered by the proposed Bylaw to provide first-level enforcement. WKCDA will invite the Police to intervene only when it considers it to be necessary.

5. The WKCDA provides the Park Ambassadors with comprehensive guidelines on when assistance should be sought from the Police. A summary of the relevant guidelines on incident management is at **Annex 1**.

Details about the “Park Ambassadors” of WKCDA who would be among the authorized persons for managing WKCD POS and enforcing the proposed Bylaw, including their job nature, entry and training requirements, as well as the total number of “Park Ambassadors employed/to be employed by WKCDA

6. Annex 2 sets out the job nature and entry requirements of Ambassadors and Senior Ambassadors. There are currently three Senior Park Ambassadors, and three Park Ambassadors. The ultimate numbers will be determined as the date for opening of the Park and other open spaces approaches and will be kept under review.

7. WKCDA provides extensive training for Park Ambassadors to prepare them for effective discharge of their duties in line with the vision and mission and Park management philosophy of the WKCDA. Upon recruitment, Park Ambassadors go through an induction training course comprising seminars, workshops, practicum, etc. They will also be provided with a comprehensive training handbook. The training programme covers areas such as:

- (a) basic mode of operation of the WKCD POS;
- (b) mission and roles of Park Ambassadors;
- (c) regulation of usage of POS (e.g. currently the WKCDA House Rules (known as the “Nursery Park Rules”) and if approved by the Legislative Council the proposed Bylaw;
- (d) the Guidelines for assistance animals; street performances; commercial hire of POS for outdoor events; and commercial filming and photography;
- (e) grooming, image and equipment;
- (f) service skills (e.g. handling of complaints, conflicts and enquiries); and
- (g) incident and emergency management.

8. From time to time WKCDA will arrange refresher courses, skill courses (e.g. language, computer and first-aid), workshops and seminars on topical issues and case studies.

**West Kowloon Cultural District Authority
April 2016**

Guidelines on Incident Management
requiring assistance from Police

** steps requiring police assistance is underlined for easy reference.*

Actions to be taken upon the Receipt of Reports of Missing Person(s) and Seeking Assistance

- (i) Park Ambassadors and other relevant Authorized Persons (Authorized Persons) are to be notified about the missing person report and be given a description of the missing person (including their body shape/height, clothing/hair style etc.) and where possible photos of the missing person, which can be sent via mobile “Apps” such as WhatsApp;
- (ii) The missing person report needs to include the last time and the last location the missing person was seen;
- (iii) Authorized Persons should be given mobile phone numbers of the missing persons (if applicable) and should use those to attempt to communicate with and locate the missing person;
- (iv) Security guards at entrances/exits are to be given the missing person report and are to pay extra attention to persons leaving the location and to assist in the search for the missing person;
- (v) Authorized Persons shall try to search for and locate the missing person by CCTV, if possible;
- (vi) Organize staff/ volunteers to assist the search for the missing person at entrances/exits and in divided zones;
- (vii) Utilize public address and video communications equipment to notify Public Open Space (POS) users about the missing person and their description/photograph (e.g. loudspeakers at different entries/exits) and/or photos of the missing person on electronic bulletin boards/monitors to speed up searching;
- (viii) If the person has been missing for 30 minutes or more it may reasonably be assumed that the missing person has left the vicinity, and the Police should be advised immediately; and
- (ix) If requested by the person making the missing person report, advise the Police regardless of how long the person has been missing.

To deal with minor situations including friends being separated, it is recommended to offer a phone for communication. If necessary, security guards at entrances/exits may assist to look for the missing person(s) and use public address and video communications equipment to facilitate the search.

Assistance where a Person is Lost

- (i) Authorized Persons should comfort the person who reports as being lost, bring them to the reception area of the Project Site Office (PSO) and ask them for mobile communications equipment numbers/contact information of family members/friends with them, and at what time and where the family members/friends were last seen and what clothes the family members/friends were wearing and a physical description of the family members/friends (including their body shape/height, clothing/hair style, etc.);
- (ii) In the event Authorized Persons notice a child, a person who appears mentally-disabled or appears affected by Dementia who seems to be lost, they should approach the person and offer to assist them. The Authorized Persons should try to find out if the relevant person is lost and if they are lost they should be taken to the PSO;
- (iii) A description of the lost person should be broadcast; security guards and staff are to be given the report and to pay extra attention to persons in or leaving the POS who match the lost person's description of their family members/ friends; and
- (iv) In the event no responsible person responds to the report of the person being lost within an hour, the Police shall be notified and person handed over to the Police for further action.

Lost and found

Items Found

- (i) Whether found by Authorized Persons or handed to them by a

member of the public or another member of the Authority's staff, the Authorized Persons shall write the physical description and the date, time and location of found items, together with the details (including the name, address and HKID No.) of the finder into the Lost and Found Registration Book (register);

- (ii) Especially in the case of valuables (jewellery, cash, wallets & purses) the procedure in (i) should be done in the security room, in the presence of a witness (e.g. finder/security guards). If the found items are purses/wallets containing money, the money should be counted and other valuables such as credit cards or jewellery described. The finder should be asked to sign the register to confirm their identity and the count/description of the found item(s);
- (iii) In the presence of the supervisor, valuables such as cash/jewellery/wallets/purses should be sealed in an envelope or other suitable container, the corresponding register number shall be written on the envelope or other container together with the date the items were so sealed and the envelope or other container shall be signed by the Authorized Person who sealed the envelope;
- (iv) Attempts shall be made to find the owner: for example, examine the item(s) for contact details of the owner;
- (v) Found items should be properly stored in a locked cabinet/room with valuable item(s) stored in a separate locked container within the lost and found cabinet/room and the keys to the cabinet/room/separated valuables container should be kept by a designated Authorized Person; and
- (vi) If item(s) do not contain any contact details of the owner, a Lost Item Collection Notice shall be posted.

Item Collection and Return

If someone claiming ownership of the item(s), or authorization to collect the item(s) (claimant), applies for collection of any item(s), Authorized Persons should verify:

- (i) that the details given by the claimant as to the location, date and time the item(s) were lost correspond with the details provided

- by the finder;
- (ii) the claimant's description of the of the lost item(s) matches the lost item(s); and
 - (iii) after confirmation, the HKID No. and contact details of the claimant are to be written into the register and the register signed by the claimant before the claimant is given possession of the item(s).

Items Reported Lost

Where a person reports an item or items as lost:

- (i) The Authorized Persons shall write details (the name, contact address and phone number(s) and HKID No.) of the person making the report together with the physical description of the lost item(s) and the date, time and location the item(s) were last seen, into the register;
- (ii) The Authorized Persons shall check the register to see whether the lost item(s) have been handed in and if so they may be passed to the person making the report following the procedure for the return of lost items above;
- (iii) If no record regarding the lost item is found, after writing the details of the report into the register, the Authorized Persons should contact cleaning/security/relevant departments; to assist the owner in searching his/her property; and
- (iv) The register of found and unclaimed items will be cross-checked against the items reported lost on a regular basis. If corresponding entries are found, the owners will be contacted and asked to claim the item(s) concerned. If necessary, assistance will be given for reporting to the Police upon owner's request.

Uncollected Lost Items

Any found item(s) which is not collected after 3 months, is deemed to become the property of the Authority free of all rights and encumbrances, and the Authority may dispose the property by sale or otherwise.

Vandalism

If Authorized Persons see members of the public committing acts of vandalism (i.e. damaging or defacing WKCDA POS property) they shall:

- (i) immediately approach the offender (not acting alone; summon security personnel if considered necessary), and attempt to persuade the offender to stop his/her actions;
- (ii) estimate the safety threat of the damage towards the public. If necessary, the management office should be notified to restrict access to the area;
- (iii) notify the offender that the damaged property is an asset of the district, and that the Authority retains the right to request for compensation. The offender should be requested to sign an undertaking which he/she agrees to pay for corresponding damages;
- (iv) investigate the condition of the damaged property and take photos for evidence with the offender; and
- (v) if the offender refuses to sign the undertaking, immediately notify the Security Department to report to the Police.

Sexual harassment

If Authorized Persons see or have reported to them inappropriate snapshots/sexual harassment:

- (i) they should immediately approach the offender (do not act alone; summon security personnel if considered necessary) and stop the offender's actions;
- (ii) provide comfort and assistance towards the victim (preferably, female personnel should take care of female victims);
- (iii) notify the Security Department to report to the Police;
- (iv) under safe circumstances, Authorized Persons may follow or detain the suspect as described by the victim. Otherwise, pay attention to the physical description of the suspect including height, weight, hair colour and style, clothing colours and styles,

- and the direction in which they left the scene;
- (v) notify security guards at entrances/exits to, under safe circumstances, retain or stop the suspect;
 - (vi) guide the victim to a rest room and wait for the Police;
 - (vii) Authorized Persons at the scene should invite witnesses to stay and assist the Police with any investigation. If the witnesses are not able to remain at the scene, record their contact details and pass those to the Police as appropriate; and
 - (viii) provide full support towards the victim and the Police.

Traffic accidents with injured people or animals

In the event of any accident or incident where any person or animal is injured Authorized Persons shall:

- (i) where practicable and safe to do so, move the victim away to a safe and comfortable location;
- (ii) notify the Security Department of the location of the accident or incident and the condition of the victim and request that they report the accident to the Police and ambulance or make an appointment at the veterinary surgery as appropriate;
- (iii) stay at the scene, take care of and comfort the victim. While waiting for emergency personnel, first aiders should provide immediate measures to stabilize the victim's condition;
- (iv) assist security personnel to cordon off the scene to prevent contamination of evidence;
- (v) if the accident or incident involved a motor vehicle(s), after photo recording the location of the vehicle(s) and the victims, have the vehicle(s) parked by the roadside in a safe location;
- (vi) while waiting for the Security Department and Police and ambulance etc. services to arrive, direct the traffic at the scene, and allow access for other vehicles/passers-by; and
- (vii) after the investigation by the Police and related authorities is completed, clear the scene.

Handling unstable individuals

Individuals that are emotionally unstable, if provoked/stimulated, may become violent, behave/speak irrationally, display negative emotions, speak in very loud voices, use insulting language, stare and otherwise make threats, display volatile emotions, shivering etc.

Minor Conditions (Under Control)

- (i) Authorized Persons should observe the individual and estimate the extent of instability and likeliness of violent behaviour;
- (ii) Under safe circumstances (calling on the Security Department's assistance if thought necessary), Authorized Persons can engage in a conversation so as to divert the attention of the person concerned and try to stabilize their emotions. Leave space for the individual to calm down, and provide any possible assistance; and
- (iii) Other Authorized Persons should make space around the person and try to minimize external stimuli (such as provokers, noise, etc.), and evacuate other visitors.

If needed, the unstable individual may be requested to leave to prevent further disturbance or threats towards the public. Authorized Persons may request the Security Department to provide support and to report to the Police, while keeping check of the individual at a safe distance.

Severe Conditions (Out of Control)

If the situation is out of control, for instance, the individual is equipped with weapons, others have been injured/killed, extremely offensive actions performed, the Authorized Person's primary concern and function is to ensure public safety, they must:

- (i) immediately request support from the Security Department and have them report to the Police. The Security Department will arrange direct access for the Police and emergency services to reach the scene as soon as possible;
- (ii) take care of victims and other frightened people. Under safe

- circumstances, evacuate other visitors and remove any movable facilities/objects that can be used as potential weapon; and
- (iii) wait for the Police to arrive and provide full support.

Handling disturbed pets/ animals

During summer in particular, animals may feel disturbed by the heat, leading to difficult and potentially dangerous behavior, in such event Authorized Persons are to:

Minor Conditions (Under Control)

- (i) observe the behaviour of the animal, and estimate the extent of control exhibited by the person responsible for the animal and the likeliness of any person being harmed by the animal;
- (ii) if the animal is generally under control, alert nearby guests to prevent others from approaching the animal. For the safety of both people and animals, nearby cyclists/joggers should be politely instructed to slow down;
- (iii) assist the owner to slowly approach and comfort the animal, while diverting guests to prevent further provoking the animal; and
- (iv) leave space for the animal to calm down and offer any support needed.

Severe Conditions (Out of Control)

If the animal is extremely offensive, for instance, showing aggression and exhibiting a threat of biting, or where people have been injured, public safety is the primary concern of Authorized Persons, who shall:

- (i) immediately request the Security Department to provide support and alert the Police. The Security Department will arrange direct access for the Police and emergency services to reach the scene as soon as possible;
- (ii) if possible, isolate the animal or guide visitors to safe areas;
- (iii) take care of frightened visitors; and

- (iv) wait for the Police to arrive and provide them with full support.

Assault and battery

Assault and battery are criminal offences. Authorized Persons are empowered by law to detain offenders and pass them to the Police for their action:

- (i) Authorized Persons should immediately approach and understand the situation (do not act alone; summon security personnel if considered necessary). Persuade the offenders to calm down and stop;
- (ii) If physical assault is involved, immediately notify the Security Department and report to the Police;
- (iii) If practicable, i.e. without placing themselves in danger, separate the opposing parties (out of visual/audible distance);
- (iv) If practicable, understand the underlying reasons and resolve the dispute;
- (v) Under safe circumstances, take care of the injuries and provide first aid measures; and
- (vi) Wait for the Police to arrive and provide full support. Authorized Persons at the scene should invite witnesses to stay and assist the Police in their investigation. If the witnesses are not able to remain at the scene, where practicable, record their contact details.

Criminal offences

In the event of burglary or other serious criminal offences, (under safe circumstances), on-site Authorized Persons must:

- (i) immediately request the Security Department to report to the Police; cordon off the crime scene;
- (ii) if any individuals are hurt during the incident, take care of the injured until paramedics arrive;
- (iii) where practicable, stay at the crime scene until the Police arrive;

- (iv) where practicable (e.g. unless an injured person or object must be moved to enable assistance to the injured person) do not touch anything in the crime scene to prevent contaminating evidence;
- (v) apart from the Police, restrict access to the crime scene; and
- (vi) record the handling process of the incident, including the preliminary Police investigation results, loss of property, casualties, name and rank of the Police officer in charge at the scene and the case number.

Staff who have witnessed the crime should provide information to the Police.

Fire

If there is an outbreak of fire, on-site Authorized Persons need to comply with the following procedures under suitable circumstances:

- (i) activate fire alarms, notify visitors to escape by means of the public address system or video communications systems;
- (ii) request the Security Department to alert the fire and emergency services including the Police and restrict access to the area;
- (iii) if it is practicable and safe to do so, use nearby fire extinguishing equipment to attempt to control the fire;
- (iv) if the fire is out of control, leave the fire scene immediately and wait for the arrival of the Fire Services Department;
- (v) assist and guide the evacuation of visitors;
- (vi) assist the Security Department/Fire Services/Police to restrict access to the fire scene; and
- (vii) record the fire process, affected area and damage to facilities/equipment.

Suicide or attempted suicide

If any individual commits/attempts suicide, on-site Authorized Persons should:

- (i) immediately request the Security Department to notify the Police and emergency services;
- (ii) if it is safe and practicable to do so, try to engage the person in a conversation so as to divert their attention and stabilize their emotions;
- (iii) restrict access to the scene. Do not touch any objects within the scene to prevent contaminating evidence;
- (iv) in the event of an unsuccessful suicide attempt, take care of the victim and wait for the paramedics to arrive; and
- (v) after any Police investigation has been completed, clean up the scene.

Explosives/ suspicious objects

In the event of a report of explosives or if suspicious objects have been found, on-site Authorized Persons should remain calm and:

- (i) immediately request the Security Department to notify the Police and emergency services;
- (ii) apart from individuals associated with the Police and emergency services, restrict access to all individuals from the scene;
- (iii) evacuate visitors in accordance with the fire escape route;
- (iv) before arrival of the Police, where it is practicable and safe to do so, inspect the immediate vicinity for other suspicious objects present at the scene;
- (v) use ropes, cones, barricades or other obstacles to surround suspicious objects and prohibit anyone from approaching;
- (vi) do not attempt to touch or in any way move or otherwise handle the object; and
- (vii) do not use any electronic communications devices at the scene.

Trees/ Facilities Collapse

If a tree or any facility in the POS appears to be or is at risk of collapse or has collapsed, on-site Authorized Persons shall:

- (i) immediately request the Security Department to notify the Police and emergency services and any relevant contractors to provide assistance;
- (ii) check whether anyone has been injured. If so, take care of and comfort the victim(s); if there are multiple victims, simple triage can be carried out;
- (iii) guide members of the public to a safe place;
- (iv) restrict access to the area; and
- (v) wait for the Police and emergency services to arrive and provide assistance to them as requested by them.

Evacuation

During severe incidents such as fire, explosions, bomb threats, terrorist threats and so on, large scale evacuation maybe required. On-site Authorized Persons should remain calm and:

- (i) confirm the source of the incident and affected area. Immediately request the Security Department to notify the Police and emergency services and to monitor the situation;
- (ii) apart from individuals associated with the Police and emergency services, restrict access to the scene;
- (iii) allocate personnel to different zones to guide and assist visitors to evacuate by means of the nearest safe exit;
- (iv) provide clear evacuation instructions along the journey. Pay attention to individuals that may need special assistance;
- (v) restrict access after evacuation. Assist/comfort guests/victims at the assembly point/safety zone. If there are multiple victims, assist to carry out simple triage; and
- (vi) where applicable, guide the emergency services teams to the scene to enable them to promptly handle the incident and victims. Provide full support and follow the instructions of the emergency services teams.

**Job nature and entry requirements of Park Ambassadors
and Senior Park Ambassadors**

Senior Park Ambassadors

a) Qualifications

Senior Park Ambassadors shall possess:

- An educational qualification of Form 7 or post-secondary;
- At least two years working experience, of which one year is of relevant property management experience;
- Pleasant personality traits, responsible and self-motivation character;
- Hands-on experience in computer operation;
- Excellent communication in English and Cantonese, able to speak Putonghua is preferable;
- Excellent interpersonal and customer service skills;
- Holder of valid Security Personnel Permit; and
- First-aiders are preferable.

b) Major Duties

- Coordination and supervision of ambassador services;
- Enforcing Nursery Park Rules;
- Address the needs of guests of the Park in a friendly and caring manner;
- Handle guests' enquiries efficiently;
- Resolve any disputes amongst guests of the Park with a respectful attitude and genuine manner;
- Inspect the condition of all facilities and equipment of the Park regularly to ensure a safe and comfortable environment. Report any failure or damage timely and follow up;
- Persuade users to comply with rules and regulations of the Park with a patient, positive, helpful and empathetic attitude;
- Handle and report all incidents occurring in the Park;
- Verify the identities of performers (including street

performances) and activity organizers within the Park, assist to prepare performers permit and record presence of performers, and provide assistance on safety management and order of the Park in accordance with the guidelines of the Authority;

- Collect, record and report opinions of guests regarding the Park. Assist to conduct regular opinion survey;
- Proactively assist in/introduce cultural tours and activities available in the Park to enhance the overall satisfactory experience of guests;
- Cultivate the vision and mission of West Kowloon Cultural District consistently: Integrating Artistic Cultures, Promoting Leisure and Comfort, Advocate Barrier Free Interaction, Manifest Greenery and Environmental Protection;
- Reporting major incidents/crisis to the Assistant Facility Manager; and
- Other relevant ad-hoc duties.

Park Ambassadors

a) Qualifications

Park Ambassadors shall possess:

- An educational qualification of Form 5 or above;
- At least 1 year working experience;
- Pleasant personality traits, responsible and self-motivation character;
- Hands-on experience in computer operation;
- Excellent communication in English and Cantonese, able to speak Putonghua is preferable;
- Excellent interpersonal and customer service skills;
- Holder of valid Security Personnel Permit required; and
- First-aiders are preferable.

b) Major Duties

- Address the needs of guests of the Park in a friendly and caring manner;
- Handle guests' enquiries efficiently;
- Resolve any disputes amongst guests of the Park with a respectful attitude and genuine manner;
- Inspect the condition of all facilities and equipment of the Park regularly to ensure a safe and comfortable environment. Report any failure or damage timely and follow up;
- Persuade users to comply with rules and regulations of the Park with a patient, positive, helpful and empathetic attitude;
- Handle and report all incidents occurring in the Park;
- Verify the identities of performers (including street performances) and activity organizers within the Park, assist to prepare performers permit and record presence of performers, and provide assistance on safety management and order of the Park in accordance with the guidelines of the Authority;
- Collect, record and report opinions of guests regarding the development and management of the Park. Assist to conduct regular opinion survey;
- Proactively assist in/introduce cultural tours and activities available in the Park to enhance the overall satisfactory

experience of guests;

- Cultivate the vision and mission of West Kowloon Cultural District consistently: Integrating Artistic Cultures, Promoting Leisure and Comfort, Advocate Barrier Free Interaction, Manifest Greenery and Environmental Protection;
- Reporting major incidents/crisis to the Assistant Facility Manager; and
- Other relevant ad-hoc duties.