

(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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3 February 2017

Miss Betty Ma
Clerk to Panel on Security
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Miss Ma,

Thank you for your letter to the Secretary for Security dated 11 January 2017. Our reply is as follows.

The Police attach great importance to the alleged assault cases at the Hong Kong International Airport on 8 January 2017. As at 31 January 2017, the Police have arrested five persons who are suspected for assault occasioning actual bodily harm, common assault and unlawful assembly. The Regional Crime Unit of the New Territories South Region of the Police is now investigating the cases and gathering evidence. Further arrest is not precluded.

According to prevailing legislation, the maximum penalty of contravening section 39 on "assault occasioning actual bodily harm" and section 40 on "common assault" of the Offences Against the Person Ordinance (Cap. 212) is respectively imprisonment for three years and imprisonment for one year. A person who contravenes section 18 on "unlawful assembly" of the Public Order Ordinance (Cap. 245) shall be liable on summary conviction to a fine at level two (i.e. \$5,000) and to imprisonment for three years; and on conviction on indictment to imprisonment for five years. The Police will consider prosecuting an arrested person with the most suitable offence in accordance with the result of investigation, evidence and legal advice etc.

On 8 January, due to a public order event at the Arrival Hall of the Hong Kong International Airport, the Police have constantly conducted risk assessment and made appropriate deployment. The Police have also maintained close communications with the Airport Authority Hong Kong (AA) and the Aviation Security Company Limited, Hong Kong (AVSECO) with a view to ensuring the normal operation of the Airport Terminal Building and safeguarding public safety. On that day, the AA has issued a warning to demonstrators displaying unauthorised signs based on section 38 of the Airport Authority Bylaw (Cap. 483A), and relevant persons did not display such signs again. Furthermore, the AA has deployed additional officers to the scene to monitor the actual situation, while the AVSECO has also deployed uniformed security officers to conduct patrol and maintain order at the scene. From midday to evening of that day, the Police have been at the scene to monitor the situation and guard against any incident. Additional officers of the Police and the AVSECO were also at the Airport to provide support in case of need. In the afternoon of that day, the Police have communicated with a Member of the Legislative Council and specifically deployed officers to the Airport to provide assistance.

In the evening of 8 January, in view of the actual situation, the AA and the Police have repeatedly pointed out to Hon Nathan Law that since there were demonstrators gathering at the Arrival Hall, it was definitely not suitable to meet the media at the Arrival Hall in order not to give rise to chaos and disrupt the operation of the Airport. However, Hon Law did not follow the advice and insisted on proceeding to the Arrival Hall to meet the media. In view of this, the AA and the AVSECO have immediately adjusted deployment and escorted Hon Law with their best effort, while police officers closely monitored the situation along the route and stood ready to provide support and assistance at any time. When scuffles occurred, the Police immediately intervened, separated the two parties, and assisted the relevant individuals to leave the scene.

The Police reiterate that any person, irrespective of his or her background or viewpoint, must express opinion and conduct demonstration in a peaceful and lawful manner. The Police do not tolerate any violent or illegal act and will definitely enforce the law resolutely.

Yours sincerely,

(Andrew Tsang)
for Secretary for Security

c.c.

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