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Panel on Security

**Information note prepared by the Legislative Council Secretariat
for the meeting on 4 May 2018**

Police's handling of cases involving mentally incapacitated persons

Issues relating to Police's handling of cases involving mentally incapacitated persons ("MIPs") has not been discussed by the Panel on Security ("the Panel"). Relevant issues of concern were raised in the context of discussion by the Panel on Welfare Services on enforcement agencies' procedures for dealing with persons with disabilities or persons with special needs (including MIPs) and support provided under the social welfare system for the above persons on law-related matters. Members were advised that the Hong Kong Police Force ("HKPF") had internal guidelines related to the handling of MIPs. In May 2015, HKPF set up the Working Group to Review the Care of Mentally Incapacitated Persons ("WG"), which was chaired by an Assistant Commissioner of Police, to review and formulate internal working procedures taking into account of the needs of MIPs. During the review, WG worked with the Social Welfare Department, non-governmental organizations, self-help groups and MIP parents' groups in devising new initiatives. Based on WG's recommendations, HKPF has since 2016 introduced a package of new initiatives to enhance protection for MIPs, including:

(a) Care Card Scheme

Under the voluntary scheme, MIPs may carry a Care Card which contains information on their medical and communication needs and emergency contacts. The Card would assist police officers to identify the carrier as early as possible, and get to know the carrier's special needs and ways to reach the carrier's appropriate contact for necessary assistance.

(b) Behavioural Indicators Guide

The Guide elaborates on the common characteristics of MIPs and includes a broad range of guidance on effective communication with MIPs. The Guide is made available to all police officers; and

(c) Notice to Appropriate Adults

Currently, the Police require that statement-taking involving MIPs and their participation in such investigation procedures as identification parades must be conducted in the company of at least one appropriate adult, who may be the MIP's relative, social worker, etc. A Notice to Appropriate Adults will be given to the appropriate adults concerned to assist them in understanding their roles and responsibilities.

Members were also advised that comprehensive training was provided to all regular, auxiliary and civilian members of HKPF regarding the new initiatives. Moreover, HKPF had been working with organizations of relevant sectors and strived to protect the rights of MIPs and provided them with proper assistance and care.

2. Following an incident in Sham Shui Po on 27 February 2018 in which a boy became emotionally agitated during police investigation, members were concerned about the Police's training on the handling of persons suspected to be suffering from autism. The Administration will brief the Panel on Police's handling of cases involving MIPs at the meeting on 4 May 2018.