

For discussion
on 8 April 2004

Legislative Council Panel on Security

Police Operation outside the Carpark Entrance at Central Government Offices on 2 April 2004

Purpose

This paper briefs members on steps taken by the Police to follow their internal guidelines on media coverage during the operation outside the carpark entrance at the Central Government Offices (CGO) on 2 April 2004.

Background

Police-media Relationship

2. The Police attach great importance to maintaining a good working relationship with the media. They are fully aware that a cordial police-media relationship can facilitate the effective dissemination of information on matters of public interest.

3. The Police have all along maintained a close liaison with the media and exchange views with them from time to time. For instance, following the Police operation at Chater Garden on 25 April 2002, the Police met media representatives, including those from journalist organisations, frontline journalists and news editors, to discuss matters of mutual interest. The two sides agreed on the following points which were reported to the Panel on Security at its meeting on 10 May 2002 –

- (a) cooperation between the Police and the media had been good and should be maintained;
- (b) Police officers should respect the work and stance of reporters;
and

- (c) reporters should respect the work of and difficulties encountered by Police officers.

Setting up of Designated Press Areas (DPAs)

4. There are clear guidelines on media coverage stipulated in the Force Procedures Manual, a copy of the relevant extract is at Annex. One of the measures to facilitate media coverage is the setting up of DPAs during Police operations. This is a long-standing practice which serves to provide vantage points for reporters, photographers and TV cameramen to cover an incident in an orderly and safe manner. DPAs are set up in circumstances where it is necessary to ensure the presence of the media would not cause undue hindrance to Police operations or pose a safety hazard to themselves or other members of the public.

5. To further enhance cooperation between the Police and the media, the Police updated their guidelines on the setting up of DPAs in December 2002, after due consultation with media representatives. The essential features of the updated guidelines were reported to the Panel on Home Affairs in April 2003 and are reproduced as follows –

- (a) reflecting the concerns of the representatives of the media, it has been made explicit that the news media have the right to film, record or take photographs in or within the view of a public place;
- (b) if for operational reasons it is necessary to effect a temporary cordon, the officer-in-charge of the incident should consider setting up a press area whenever practicable to facilitate accredited members of the media; and
- (c) if designated press areas are included in pre-planned operations, the Police will seek to inform the press in advance as far as practicable to facilitate their planning and manpower deployment.

These are reflected in Section 39-04 of the guidelines at Annex.

Police Operation on 2 April 2004

6. On 2 April 2004 the Police took action to remove a group of protesters who had gathered outside the CGO and blocked the main entrance. The operation was conducted in accordance with the law and was necessary to maintain the normal operation of the CGO. During the operation the Police were met with resistance from some of the protesters.

7. During the operation the Police have duly followed the guidelines on media coverage. In accordance with paragraph 4 of Section 39-04 of the guidelines, the Police considered it necessary to set up a DPA to ensure the smooth operation of the clearance action and to safeguard public safety. The Police have also paid due regard and adhered to the requirement in paragraph 1 of the same section that photographers and TV cameramen in particular should be given the opportunity to have vantage points to cover the event. The DPA was located just outside the entrance of the CGO carpark, right next to the area of Police operation. The Police officer tasked to liaise with the media at the scene also took steps to inform the reporters of the arrangement in advance of Police's clearance operation. The majority of media representatives present acceded to the Police's request and proceeded to the DPA.

8. The Police respect the media's right to press freedom, and will continue to maintain a good working relationship with the media in a spirit of mutual respect and understanding.

Hong Kong Police Force
April 2004

Extracts from Chapter 39 of Force Procedures Manual

39-01 Working Relationship Between Police and the Media

Public support is necessary to enable the Police to carry out their duties effectively and it is vital to establish and maintain the confidence of the public in the Force and project a good image. The public depends upon the media for news and information; the deeds of the Force must be publicised. To achieve a good and fair presentation, good co-operation and communication between the media and the Police is essential.

2. Police should maintain a relationship with news media that is based on mutual respect and understanding; providing information to journalists that is timely, accurate and within the bounds of the law. In the interests of maintaining good relations, all news media and journalists should be given equal treatment in the release of information, granting of interviews, etc.

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39-04 Press Freedom and Press Area

It should be noted that the news media have the right to film, record or take photographs in or within view of a public place, even during Police controlled operations. Photographers and TV cameramen in particular should be given an opportunity to have vantage points; they as far as possible are to be given unrestricted access to any public place in the same way as any other members of the public. The Police are not responsible for what the news media publishes or broadcasts – this is a judgement for the media to make.

2. If it is necessary for operational reasons to restrict the photographing of suspects, victims or witnesses, methods other than obstructing photographers and TV cameramen are to be employed to preserve the identity of the subjects. This procedure is to be read in conjunction with FPM 49-09.

3. Police officers should not grant permission to media representatives to enter any premises after the conclusion of an investigation. Any media representative who wishes to gain access to such premises must obtain permission from the occupier; nothing should be said or done by police officers to influence the occupier's decision.

4. If the provision of any temporary cordon is necessary for operational reasons, the officer-in-charge of the incident should consider setting up a press area whenever practicable to give advantage to accredited members of the media. This will result in more positive reporting and reduce friction with media representatives. If due to space limitation and/or over-riding operational considerations, open coverage by all journalists present is not possible, the officer-in-charge may consider to allow access to the site for some limited number of media representatives to report/film at close quarters. There is a well-established pool arrangement agreed among media organisations for photographers and TV cameramen to take turns to cover events on behalf of the whole group. They will supply photographs and TV footage to all others.

5. In pre-planned police operations where press areas are likely to be set up, Formation Commanders should consult CSP PPRB in advance so that news media may be fore-warned as far as practicable.

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