

**For information
on 7 November 2006**

Legislative Council Panel on Security

**Police’s Handling of Cases of Violence against Well-known Personalities
and Civil Servants in their Performance of Duties and Related Matters**

Purpose

This note sets out, in response to Members’ request, the following –

- (a) a breakdown of cases of violence against well-known personalities and civil servants in their performance of duties, the outcome of investigations, and the respective detection rate for the past five years;
- (b) information on how such cases are handled by the Police; and
- (c) whether the Administration has adhered to the Victims of Crime Charter (the Charter).

“Well-Known Personalities”

2. The Police do not have a separate classification of “well-known personalities” in their crime database. Nonetheless, through a search of their records on a best endeavour approach, a total of 28 reported cases of violence and criminal intimidation against “well-known personalities” from 2002 to 2006 (up to September 2006) have been identified. In the context of the search, well-known personalities include such personalities as Legislative Council Members, public affairs commentators and social activists.

3. The distribution of these cases by year, and the outcome of the Police’s investigation are set out below –

	2002	2003	2004	2005	2006 (up to Sept)
Reported cases	1	8	9	3	7
Detected cases	0	4	2	2	3
Detection rate	0.0%	50.0%	22.2%	66.7%	42.9%

Civil Servants

4. The number of criminal intimidation cases against civil servants related to their performance of duties occurring from 2002 to 2006 (up to September 2006) and, for comparison, the total number of reported cases of intimidation, are set out in the table below –

	2002	2003	2004	2005	2006 (up to Sept)
Cases of intimidation against civil servants in relation to their performance of duties					
Reported cases	21	30	24	26	17
Detected cases	19	28	20	25	15
Detection rate	90.5%	93.3%	83.3%	96.2%	88.2%
Reported cases of intimidation					
Reported cases	845	933	1145	1424	1223
Detected cases	494	522	615	724	649
Detection rate	58.5%	55.9%	53.7%	50.8%	53.1%

5. As many different offences may involve violence, the Police do not have readily available statistics on cases involving violence against civil servants. Nevertheless, the Labour Department keeps statistics on occupational injuries involving workplace violence for civil servants. The figures are as follows –

	2002	2003	2004	2005	2006 (up to Mar)
Injuries involving workplace violence for civil servants¹	232	263	246	245	59(1)

¹ Workplace violence includes assault, deliberate kicks, bites, punches, pushes, homicides, etc. during the course of employment. The figure in brackets denote the number of fatality, and figures not in bracket give the total number of occupational injuries resulting in over 3-day sick leave.

Procedures for case handling and protection of victims

6. On receiving a report of intimidation or violence, irrespective of whether the case involves a well-known personality, a civil servant or otherwise, the Police will conduct a thorough investigation into the case in order to bring the attacker to justice. This involves taking statements from relevant parties, locating witnesses, gathering evidence at scenes of crime, establishing the culprits' profiles, analyzing their modus operandi, etc. Depending on the evidence available and subject to legal advice, the Police may arrest and lay charges against the persons concerned.

7. Furthermore, for the protection of the safety and well-being of witnesses and victims of crime, should there be indications or suggestions that there is a threat of injury to a witness or victim, his family and/or his properties, the Police will assess the threat and take appropriate actions commensurate with the assessed threat level. These actions include, for example, arresting the offender (if known), providing protection, and enhancing patrol at the residence and work place of the witness or victim. Where the witness or victim is subject to a real and prolonged threat of serious physical injury, he would be offered protection under the Witness Protection Programme as necessary in accordance with the Witness Protection Ordinance (Cap. 564).

The Victims of Crime Charter

8. The Charter sets out the rights and duties of victims of crime, and prescribes the standards of service that these victims can expect to receive from those agencies involved in the criminal justice system.

9. All law enforcement agencies and departmental prosecuting services are aware of the contents of the Charter. The Department of Justice has also provided guidance as and when necessary to the key agencies involved in the criminal justice system which would come into contact with victims to assist them in the implementation of the requirements of the Charter.

10. All agencies involved in the criminal justice system aim to provide a high standard of service, in line with the principles outlined in the Charter, in the handling of all cases. Importance is placed on ensuring compliance with the Charter. The Charter has proven to be an effective guide to stakeholders in the application of appropriate standards in the treatment of victims of crime.

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