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POLICE FORCE  
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協會檔號 OUR REF: ( ) in SS/C 1/36 Pt. 10

來件編號 YOUR REF:

13<sup>th</sup> December 2010

Secretary for the Civil Service,  
10/F, West Wing, Central Government Offices,  
11 Ice House Street, Central  
Hong Kong  
(Attn: Ms. LAW Chui Mei, Ivy)

Dear Ms LAW,

**Proposed amendments to subsidiary regulations/rules of  
Disciplined Services Legislation and  
Traffic Wardens (Discipline) Regulations**

Your letter seeking comments from the Police Force Council Staff Side, CSBCR/DP/1-010-005/6, dated 18<sup>th</sup> November 2010 refers.

Further to our earlier consultation and your latest meeting with the Police Force Council Staff Side representatives on 29<sup>th</sup> November 2010, the Police Force Staff Associations (Junior Police Officers' Association, Overseas Inspectors' Association and Superintendents' Association) (the "Police Staff Side") are now able to confirm our general support for the first phase of legislative amendments that deal with: -

- Two proposals to allow for 1) applications from defaulters for legal representation and 2) acceptance of written, audio or video as formal records of proceedings.
- Transfer of the Chief Secretary for the Administration's power to appoint a board and related matters to the Secretary for the Civil Service.
- Amending the English and Chinese versions of the disciplinary offence of "conduct **likely** to bring the public service in disrepute".
- Harmonisation of Part II of the Police (Discipline) Regulations ("P(D)R") for Junior Officers with Part III that deals with Inspectors, including the proposal for possible punishment by way of deferment or stoppage of increment.
- Hearing in the absence of the defaulter if he fails to attend hearings without reasonable justifications.

JUNIOR POLICE OFFICERS'  
ASSOCIATION  
員佐級協會

OVERSEAS INSPECTORS'  
ASSOCIATION  
海外督察協會

SUPERINTENDENTS'  
ASSOCIATION  
警司協會

Regarding the issues we raised in previous consultations in our letter of 19<sup>th</sup> May 2010 to you and the written submission to members of the LegCo Panel on Public Service (PFC Staff Side Paper D/2010/1), the Police Staff Side is pleased to note that three out of our four proposals, which also have the support of Force Management, are now to be pursued in the Phase 1 legislation. We understand the rationale to further harmonise Parts II and III of the P(D)R and the new item on possible punishment by way of deferment or stoppage of increment in the proceedings against junior police officers. We find this acceptable and note it may apply to all junior police officers, except in cases whereby junior police officers have attained maximum pay increment (i.e. maximum pay points of Police Constable PPS 15 and above, Police Sergeant PPS 24 and Police Station Sergeant PPS 31).

The Police Staff Side will continue to seek changes that can provide greater efficiency and fairness to disciplinary proceedings for all ranks and where possible, further harmonise various parts of the P(D)R. We may consider appropriate improvements or alignments with the PS(A)O discipline system that is now operating for many grades in the Civil Service. In taking matters forward on further changes we note CSB commitment to a Phase 2 consultation with us ahead of subsequent legislation.

As part of Phase 2, the Police Staff Side already notes your commitment to take forward our proposal, which supports that of Force Management, to differentiate those disciplinary proceedings which may result in terminatory punishment or reduction in rank from those which will not. We would of course like to take forward this proposal at the earliest opportunity and are now conducting consultation amongst the members of the three police staff associations to ascertain exactly which other issues we believe should be taken forward during Phase 2.

Whilst looking forward to support from members of LegCo for legislation to be enacted on the Phase 1 issues, the Police Staff Side hopes to move to the next stage of the review at the earliest opportunity. We will endeavour to provide both Force Management and CSB with details of our proposals for Phase 2 legislation in due course.

Yours sincerely,



WONG Ching  
Chairman  
JPOA



Ron ABBOTT  
Chairman  
OIA



SHAM Wai-kin  
Chairman  
SPA

Police Force Staff Associations  
(Junior Police Officers' Association, Overseas Inspectors' Association and  
Superintendents' Association)

C.C.

Commissioner of Police

Chairman of LegCo Panel on Public Service

Chairman of SCDS

Chairman of Hong Kong Police Inspectors' Association