

Independent Police Complaints Council

Report (Interim) on Complaint Cases

Arising From The Visit by the Vice Premier Mr. Li Keqiang

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Executive Summary

Part I - Overview

1.1 Between 16 and 18 August 2011, Mr. LI Keqiang, the Vice Premier (“VP”) of the State Council of the Central People’s Government, visited Hong Kong where he stayed at the Grand Hyatt Hong Kong (“the Hotel”) in Wanchai. During his stay, the VP visited the following venues for official purpose:-

- i) Laguna City, Kwun Tong;
- ii) Hong Kong Housing Authority Headquarters, Homantin;
- iii) Wong Cho Tong Social Service Building, Homantin;
- iv) The Hotel;
- v) University of Hong Kong (“HKU”); and
- vi) The New Central Government Complex (“CGC”), Tamar.

1.2 The Hong Kong Police (“the Police”) conducted a series of security operations for the purpose of protecting the VP for the whole period of visit and on various locations including the above-mentioned venues as well as along the related motorcade routes.

1.3 There have been widespread public discontent and concern over the magnitude and latitude of the security arrangements adopted by the Police in these security operations, resulting in the receipt of 16 Reportable Complaints (“RC”) and 6 Notifiable Complaints (“NC”) by the Complaints Against Police

Office (“CAPO”).

1.4 Appendix 1 of this Report provides a gist of the 6 NCs.

Part II – The 16 Reportable Complaints

2.1 Appendix 2 of this Report provides an overall picture of CAPO investigation on the 16 RCs and IPCC examination and evaluation of the same.

2.2 In a nutshell, the subject matters of these complaints revolved around the following issues:-

- i) Closure of footbridge (4 cases)
- ii) Clearance of pedestrians (2 cases)
- iii) Security arrangements at HKU (1 case)
- iv) Execution of Police Powers & location of Designated Public Activity Areas (5 cases)
- v) Execution of Police Powers (3 cases)
- vi) Location of Designated Press Area (“DPA”) (1 case)

2.3 Details of CAPO investigation as well as IPCC monitoring and examination of the 16 RCs are summarized in Part II of this Report.

Part III – Conclusion and the Way Forward

3.1 As at the time when this Report is compiled, IPCC has endorsed CAPO findings on 9 cases. They are :-

- (i) Closure of Footbridge to the Hong Kong Convention & Exhibition Centre (Case 1)
- (ii) Closure of Footbridge to the Hong Kong Arts Centre (Case 4)

- (iii) Clearing Pedestrian on Cotton Tree Drive (Case 5)
- (iv) Clearing Pedestrian on Harbour Road (Case 6)
- (v) Security Arrangements at HKU (Case 7)
- (vi) Protest Outside CGC (Case 8)
- (vii) Protest on Footbridge to CGC(I) (Case 9)
- (viii) Protest on Footbridge to CGC(II) (Case 10)
- (ix) Reporters' Encounters with Police (Case 14)

3.2 CAPO findings on 5 cases have not been endorsed by IPCC. They are :-

- (i) Closure of footbridge to Immigration Tower (Case 2)
- (ii) Closure of footbridge to CITIC Tower (Case 3)
- (iii) Protest outside Convention Plaza (Case 11)
- (iv) Submission of petition letters to VP (Case 12)
- (v) Removal of a male at Laguna City (Case 13)

3.3 For Case 16 (DPA locations and search of reporter's personal belongings), IPCC endorsed CAPO findings on 4 allegations out of 6. IPCC has raised further queries, including requesting CAPO to provide the relevant Operational Orders, on the justifications of CAPO findings on the 2 allegations which revolved around the setting up of DPA.

3.4 For Case 15 (Protest outside Central Plaza), IPCC agreed with CAPO that investigation into this case be held in abeyance on the grounds of sub-judice, as the complainant of this case has been charged with an offence related to the incident of this complaint, the trial of which is still pending.

3.5 IPCC adopts a holistic approach in the monitoring, review, and examination of the 16 complaint cases. To further assess CAPO's findings on

these cases and the propriety and justification for Police actions in the security operations, IPCC has raised queries with CAPO on the following 3 areas :-

- (i) To identify the correct COMEEs for accountability purpose;
- (ii) To conduct full investigation whenever practicable; and
- (iii) To allow IPCC access to all relevant Operational Orders and other related documents under section 22 and section 29 of the Independent Police Complaints Council Ordinance.

3.6 As the above-mentioned issues are yet to be resolved, the IPCC will, upon receiving and critically examining further information to be supplied by CAPO, compile a Final Report which will :-

- (i) Address the outstanding matters in relation to the 16 complaint cases and other relevant issues that came to light;
- (ii) Address the appropriateness of the security arrangements and whether police powers were properly exercised; and
- (iii) Identify possible deficiency in the existing police practice and make appropriate recommendations.

3.7 The Final Report will be submitted to the Chief Executive and made available to the Legislative Council and the public.

3.8 To facilitate IPCC's compilation of the Final Report, CAPO has been requested to further address IPCC on issues listed out in Appendix 7 of this Report.

Independent Police Complaints Council

2 May 2012