

For Information
on 4 January 2013

Legislative Council Panel on Security
Police to Consult District Council on Road Closure and Traffic
Diversion Arrangements in Relation to Large Scale Public Order Events

Introduction

This paper provides information on matters about the Police to consult District Council (“DC”) on road closure and traffic diversion arrangements in relation to large scale public order events.

Handling of Public Meetings and Processions

2. The freedom and rights of procession and peaceful assembly are enshrined by Article 27 of the Basic Law and Article 17 of Section 8 of the Hong Kong Bill of Rights Ordinance (Cap 383). The operational policy of the Police is to endeavour to strike a balance by facilitating all lawful and peaceful public meetings and processions on one hand and, on the other hand, reducing the impact of such meetings and processions on other members of the public or road users and to ensure public order and public safety.

3. Under the Public Order Ordinance (Cap 245), any public meeting or procession the attendance of which exceeds the limit prescribed in the Ordinance, i.e. public meetings of more than 50 persons and public processions of more than 30 persons, shall give a notice to the Commissioner of Police (“CP”) not less than seven days prior to the intended event, and it can only be conducted if CP does not prohibit or object to it. The notification shall cover such basic information as the date of the public meeting or procession, the time of commencement, duration, location or route, subject-matter, as well as the estimated number of participants, etc. CP may impose condition(s) on a notified public meeting or procession to ensure public order of the event and overall public safety. Such condition(s) will be stated explicitly beforehand in the “letter of no objection” to the organisers. An appeal to the statutory Appeal Board on Public Meetings and Processions may be lodged if the organisers consider CP’s decision unreasonable.

4. Generally speaking, upon receipt of a notification of a public meeting or procession, the Police will maintain an active and close communication with the event organisers to offer advice and assistance. Where necessary, Police Community Relations Officers may also be present during the event to act as a bridge of communication between the organiser and the Field Commander. The Police have a duty to take lawful measures to regulate public meetings and processions as appropriate to ensure public order and public safety.

To Consult DC on Road Closure and Traffic Diversion Arrangements in Relation to Large Scale Public Order Events

5. The Police endeavour to facilitate the conduct of all lawful and peaceful public order events. Prior to such events, the Police will carefully consider various factors, such as the views of the event organisers and other stakeholders, and then carry out a professional assessment. In recent years, some members of the local community have relayed their concerns to the Police over the impact of public meetings and processions on the district and its residents. Having regard to such views, the Police consider that suitably consult stakeholders of the affected district would allow them to decide road closure and traffic diversion arrangements in relation to such events in a more comprehensive manner, which would further help to strike a balance between respecting the freedom and rights of expression of the event participants, and safeguarding the freedom and rights of other members of the public. As a consultation platform on district matters, DC is one of the proper and important channels of consultation.

6. It is the intention of the Police to consult DC and other stakeholders only on the road closure and traffic diversion arrangements in relation to large scale public order events. The Police will not consult DC regarding the issuance of “letter of no objection” in respect of individual public order events.

7. The Police will continue to discharge their duties in a fair, just and impartial manner, and make every effort to facilitate the peaceful and orderly conduct of public order events.