

**立法會**  
**Legislative Council**

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**Panel on Security**

**Background brief prepared by the Legislative Council Secretariat  
for meeting on 4 January 2013**

**Police's crowd control arrangements in relation to  
public meetings and public processions**

**Purpose**

This paper summarizes the latest discussions of the Panel on Security ("the Panel") on the Police's crowd control arrangements in relation to public meetings and processions.

**Background**

2. Under the Public Order Ordinance (Cap. 245) ("POO"), any public meeting or procession at which the attendance exceeds the prescribed limit (i.e. public meetings of more than 50 persons and public processions of more than 30 persons) can take place only if notice has been given in accordance with the requirements of POO, and the Commissioner of Police ("CP") has not prohibited or objected to it. CP may prohibit any public meetings or processions if he reasonably considers such prohibition necessary in the interests of national security, public safety and public order, or for the protection of rights and freedoms of others. If the holding of a notified public meeting or procession is considered likely to prejudice the maintenance of public order or to be used for any unlawful purpose, CP must state the grounds of prohibiting or objecting to a public meeting or procession by way of a written notice and notify the organizers of his decision within a specified time limit (e.g. 48 hours before the commencement of the event if seven days' notice is given). If CP does not issue a notice of objection within the time limit, he is taken to have issued a notice of no objection and the meeting or procession can proceed.

3. If CP prohibits, objects to or imposes conditions on a notified public meeting or procession, the organizers have a right of appeal to an independent Appeal Board on Public Meetings and Processions ("the Appeal Board") as provided under POO. The Appeal Board may confirm, reverse or vary the prohibition, objection or condition imposed by CP.

### **Past discussions of the Panel**

4. The Panel discussed the Police's crowd control arrangements in relation to public meetings and public processions at various meetings. The Panel also received a briefing on the subject by the Police at its Headquarters on 14 September 2011. The deliberations are summarized in the following paragraphs.

#### Communication with organizers of public meetings and processions

5. Members noted that upon receipt of a notification about a public meeting or public procession, the Police would maintain communication with the event organizers and discuss with them how order could be maintained on the day of the public meeting or public procession. Members were advised that the Police would, having regard to the anticipated number of participants and information provided by the organizers, past experience in handling similar events and other operational considerations such as the use of the road by vehicles and other road users, devise crowd and traffic management measures as well as manpower required for maintaining public safety and public order during the events. Members were further advised that the Police would devise appropriate crowd control measures in advance, including coordinating with the Transport Department on diversions of traffic and public transport measures and related contingency measures, special pedestrian flow arrangements, and/or arranging for the participants' entry into the venue or access to the starting point of the procession via different routes. The Police would also liaise with the organizers the use of nearby locations to better accommodate participants of the events. The event organizers were responsible for arranging wardens to maintain order during the public meeting or public procession.

6. Members were concerned whether the Police would maintain communication with organizers in the course of public meetings or public processions. Some members pointed out that there were increasingly radical behaviours among participants of public processions and queried whether there was room for improvement with respect to strategy in deployment of frontline Police officers.

7. According to the Administration, apart from providing advice in advance and agreeing on certain arrangements in relation to the event, a Police Community Relations Officer might be present during the event to act as a channel of communication between the organizer and the Field Commander. To ensure that public meetings and public processions could be conducted in a safe and orderly manner, the Field Commander would assess the situation at the scene and, where circumstances warranted, implement ad-hoc crowd control measures. While there were participants who behaved radically during public meetings or public processions, some of these radical participants might not be associated with the organizers. The Police would act resolutely against persons who breached the law. It was the Police's practice to conduct a review after each public meeting or procession with a view to further enhancing the capabilities of the Police in handling public events. The Police respected the rights of members of the public to conduct peaceful assemblies and processions and made every effort to facilitate the conduct of these activities.

Criteria for assessing an application for holding a public meeting or procession

8. Some members queried why objection to the holding of a public procession on 10 March 2007 was made on the ground of low visibility at night. They were concerned whether visibility was one of the factors considered when CP determined whether to object to an application for public meeting or public procession.

9. The Administration advised that as the proposed routing would run through very busy road sections and the procession was scheduled to start in the evening peak hours, the Police objected to the public procession on public safety and public order grounds. Visibility was only one of the factors affecting public safety. The Police had to give regard to the rights and freedom of other members of the public as well as the disruption that the public procession might cause. The Police had suggested that the organizers could advance the public procession to the afternoon of the day but this was not accepted by the organizers.

10. Some members raised concern about the Police's crowd control arrangements on 4 June 2011 at the Victoria Park. Some members also expressed dissatisfaction that the Police had not informed the event organizer of the change of route.

11. The Administration advised the Panel that the procession route concerned had been set out in the "Letter of No Objection", yet it would be difficult to set out the contingency plan in the "Letter of No Objection" as the

Police had to be flexible in handling the situation on site. The Victoria Park had not been designed for large-scale public activities. A large number of people entered the Park simultaneously within a very short period of time during the public meeting on 4 June 2011. For public meeting of such a large scale, there might be participants feeling unwell during the public meeting and, therefore, it was necessary to reserve a free Emergency Vehicle Access for rescue purpose. In general, measures had been taken to ensure order of the event and public safety. The Police had informed the organizer of these measures before the public meeting and the organizer had not raised any objection.

12. In the view of some members, the Police should enhance communication with organizers of public meetings or public processions on crowd management issues before and in the course of the event, and consider erecting more signage at the scene in future.

### **Relevant papers**

13. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2  
Legislative Council Secretariat  
28 December 2012

**Relevant papers on  
Police's crowd control arrangements in relation to  
public meetings and public processions**

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Legislative Council	21.2.2001	<u>Official Record of Proceedings (Question 8)</u>
	22.1.2003	<u>Official Record of Proceedings (Question 1)</u>
	30.6.2004	<u>Official Record of Proceedings (Question 1)</u>
	23.11.2005	<u>Motion on "Security and public order issues relating to the Sixth Ministerial Conference of the World Trade Organization"</u>
	24.6.2009	<u>Official Record of Proceedings (Question 3)</u>
	2.12.2009	<u>Official Record of Proceedings (Question 12)</u>
	10.11.2010	<u>Official Record of Proceedings (Question 6)</u>
	12.1.2011	<u>Official Record of Proceedings (Question 4)</u>
	13.7.2011	<u>Official Record of Proceedings (Urgent Question 2)</u>
Panel on Security	5.6.2007 (Item VII)	<u>Agenda</u> <u>Minutes</u>

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Security	2.2.2010 (Item V)	<u>Agenda</u> <u>Minutes</u>
	11.11.2010 (Item III)	<u>Agenda</u> <u>Minutes</u>
	8.4.2011 (Item II)	<u>Agenda</u> <u>Minutes</u>
	5.7.2011 (Item IV)	<u>Agenda</u> <u>Minutes</u>
	4.7.2012 (Item VI)	<u>Agenda</u> <u>Minutes</u>

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