

For Information  
on 5 April 2013

**Legislative Council Panel on Security**  
**Police's Handling of Public Meetings and Public Processions**

**Introduction**

This paper provides information on measures adopted by the Police for handling public meetings and public processions as well as information on the Body Worn Video Camera (BWVC) recently equipped by the Police.

**Handling of Public Meetings and Processions**

2. The freedom and rights of procession and peaceful public meeting are protected 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 notice 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 conditions 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 notice of a public meeting or procession, the Police will actively maintain close communication with the event organisers in order to provide advice and assistance to them. Where necessary, Police Community Relations Officers may also be present during the event to act as a bridge of communication between the organisers 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.

### **Body Worn Video Camera**

5. Since 2006, the Police have been using hand-held video recording devices to record incidents with law and order implications, for both investigation and evidential purposes. With technological advances, BWVCs have become available and offer, in some circumstances, a potentially more practical choice for policing purposes given their size, convenience and ease of use.

6. In fact, BWVCs are widely equipped in many overseas jurisdictions, for instance over 40 police forces in the United Kingdom are using BWVCs. The results are positive. Making reference to overseas experiences, the Police believe that the introduction of BWVCs can effectively enhance frontline officers' capability in evidence gathering as well as achieve a higher degree of transparency and accountability of police actions.

7. The Police will introduce the BWVCs in a progressive manner. The first step is to conduct a field trial to assess the effectiveness of its use. The field trial, commenced on 11 March 2013, will last for a period of six months, during which trained uniform officers from Emergency Units of New Territories North and Kowloon West Regions and Police Tactical Unit of Hong Kong Island Region will use the BWVCs. Similar to the current scope of application of digital camcorder, the BWVCs will be used in confrontational scenarios, or incidents where a breach of the peace has occurred or is likely to occur. Officers using BWVCs will be in uniform, overtly wear the cameras, and where reasonably practicable, notify the person prior to the commencement of the recording.

8. Detailed internal guidelines and operational procedures have been formulated by the Police to regulate the use and operation of the BWVCs, the handling of its data and submission of its captured footage to the court as evidence. Such procedures are drawn up to ensure that police officers would comply with the requirements of the Personal Data (Privacy) Ordinance and relevant guidelines of court proceedings when using the BWVCs. Professional training will also be given to police officers to ensure that they are conversant with the use and operation of the BWVCs.

9. On another front, footage with investigative or evidential value will be treated as case exhibit and be retained for investigation and court proceedings. Once the purpose of collection has been fulfilled, the captured footage will be destroyed. Footage carrying no investigative or evidential value or other legitimate purpose will be deleted after 31 days from the date it was produced.

**Security Bureau**  
**Hong Kong Police Force**  
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