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Panel on Security

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 18 March 2014**

Police's handling of cases of violence against well-known personalities

Purpose

This paper summarizes past discussions of the Panel on Security ("the Panel") on the Police's handling of cases of violence against well-known personalities.

Background

2. According to the Police, it does not maintain separate statistics on cases of violence and criminal intimidation against so-called "well-known personalities". For the purpose of discussion of the Panel, well-known personalities in this context included such persons as Legislative Council ("LegCo") Members, public affairs commentators and social activists.

Deliberations of the Panel

3. Members were concerned that cases of violence against well-known personalities had a low detection rate and the masterminds were not arrested in most of the cases. There was a view that the Police should reinforce the message of zero tolerance towards violence and conduct investigation on all cases reported to the Police in an impartial and thorough manner. Concerns were raised about cases of intimidation or violence against public affairs commentators and whether the incidents would pose a threat to freedom of speech in Hong Kong. Information was sought on the measures taken by the Police in tackling violence

against well-known personalities and whether protection would be offered to the victims concerned.

4. According to the Administration, the Police had always investigated each case impartially regardless of the background of the victims. Upon receipt of a crime report, irrespective of whether the case involved a well-known personality or any other person, the Police would conduct impartial and thorough investigation into the case in order to bring the culprits to justice. The Police had set out guidelines for officers to follow. This involved taking statements from relevant parties, locating witnesses, gathering evidence at scenes of crime, establishing the culprits' profiles and analyzing their modus operandi. Depending on the evidence available and subject to legal advice, the Police might arrest and lay charges against the persons concerned.

5. The Administration pointed out that the crime detection rate was only one of the many aspects reflecting the work of the Police. Regarding cases of violence and criminal intimidation against well-known personalities, whether a case could be detected would depend on many factors, such as whether the victim could provide relevant information to the Police, whether there were witnesses at the scene and the amount of evidence left at the scene. Subject to relevant information that might be provided by the victims, the difficulty in establishing any direct links between the culprits and the victims as well as the often limited information available regarding the incidents might make the investigation of such cases particularly difficult. Whether prosecution could be instituted in a case would depend on the sufficiency of evidence. Notwithstanding this, the Police was obliged to conduct thorough investigation into all such crime reports, and would not hesitate to put in extra resources for investigation on a needs basis.

6. There was a view that the Police should make a decision to close the case files only after the clues and evidence available had been thoroughly considered. The Administration should also increase the amount of police rewards offered for information useful to detection, if necessary. According to the Administration, the Police would adjust its investigation tactics and strategies having regard to the circumstances of each individual case. For detection of serious crimes and if the cases concerned warranted, the Police would offer reward to any person who could provide information leading to the arrest and satisfactory prosecution of the culprits. The Police would continue its investigation of undetected cases involving criminal intimidation or violence against well-known personalities. If there were new developments, the Police would re-examine the cases for further action if appropriate.

7. Some members were of the view that if a witness or victim was subject to a threat of physical injury, the Police should provide him with appropriate protection. According to the Administration, the Police would assess the risks and offer appropriate protection based on the nature and circumstances of each case. Where a witness or victim of crime was subject to a real and prolonged threat of physical injury, appropriate protection would be provided under the regime of the Witness Protection Ordinance (Cap. 564).

8. Members were also advised that the Police would exchange information with their counterparts in other jurisdictions through established channels for the purpose of maintaining law and order. Similarly, the police authorities of other jurisdictions would provide reciprocal assistance to the Hong Kong Police, where appropriate.

Relevant papers

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

Council Business Division 2
Legislative Council Secretariat
14 March 2014

Appendix

Relevant papers on Police's handling of cases of violence against well-known personalities

Committee	Date of meeting	Paper
Panel on Security	13.5.2004 (Item VI)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	25.5.2004 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	7.11.2006 (Item VI)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	29.6.2009 (Item II)	<u>Agenda</u> <u>Minutes</u>

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