

(Translation)

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香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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17 March 2014

Miss Betty Ma
Clerk to Panel on Security
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Miss Ma,

Panel on Security
Letter from the Hon TO Kun-sun, James

I refer to the letter dated 12 March 2014 from the Secretariat. Our reply is as follows:

Under section 10 of the Police Force Ordinance (Cap. 232), it is the statutory duty of the Police to take reasonable and appropriate measures to preserve the public peace, and prevent injury to life and property.

Upon receipt of requests for assistance from the public in case of unforeseen or emergency incidents, the Police will perform their statutory duties by immediately deploying officers to the scene to understand the situation, provide assistance or conduct investigations. After arriving at the scene, police officers will take appropriate action in the light of the circumstances to preserve the public peace and prevent injury to life. The Police are required to discharge their statutory duties at both public and private places (unless otherwise specified in the law). Disorderly conduct at a private place shall be handled by the person-in-charge or security personnel at the scene. Only when the public peace is breached or there is a threat to personal safety will police officers take reasonable and appropriate measures to intervene or provide assistance in a bid to ensure the public peace and safety of the people at the scene.

The Police, upon receipt of a report in the afternoon on 6 March 2014 about somebody creating a nuisance in a meeting room, deployed officers to the scene for rendering assistance. Despite repeated requests from the person-in-charge of the meeting and the security personnel, two persons at the spot refused to leave and the deadlock extended into the early evening. One of the aforementioned persons struggled incessantly with the security personnel while the latter attempted to remove the two persons from the meeting room. During the scuffle, one security officer fell on the ground. The person-in-charge asked the police officers at the scene to pay due regard to the developing situation and to give advice on the means to handle the incident. The officers clearly explained to the person-in-charge that any disorderly conduct should be handled by the security personnel, and that the Police would intervene in circumstances such as a breach of the public peace was likely to occur or had occurred, or when harm was likely to be done to any person. Having contemplated that the scenario became chaotic again, the police officers, with due consideration of the safety of all persons at the scene and after giving their advice to the involved person, assisted the security personnel to bring that person out of the meeting room, as a means to prevent a deterioration of the situation and to safeguard any person from injury. The other person was removed by other security guards from the meeting room at the same time.

During the incident, the police officers, while playing assisting and mediating role, discharged their duties of preserving the public peace and preventing injury to life or property. Their actions on that day were by no means an interference in the operation of any council.

As at 13 March 2014, two complaints have been received by the Complaints Against Police Office (CAPO) in respect of the incident. The CAPO will deal with such cases in a fair manner according to the statutory mechanism of handling complaints against Police.

Yours sincerely,

(Mrs Millie Ng)
for Secretary for Security

c.c.

CP
(Attn.: Mr LI Kin-fai)

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