

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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(Total : 4 pages)

19 November 2013

Mr Raymond Lam
Panel on Security
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear Mr Lam,

Panel on Security
Letter from Dr Hon Kenneth CHAN

I refer to the letter from the Secretariat dated 29 October 2013. Our responses are as follows.

On 24 October 2013, the Office of the Privacy Commissioner for Personal Data (PCPD) released an investigation report on incidents concerning the loss of police notebooks (notebooks) and “Notice of particulars of alleged fixed penalty traffic offence”, known as Fixed Penalty Tickets (FPTs), pointing out that there are deficiencies in the Hong Kong Police Force (Police)’s procedures in safeguarding the notebooks and FPTs. The PCPD requested the Police to review the information security procedures and tighten up supervision. It also suggested that the Police should review the design of the equipment and uniform for holding or conveying police documents, and step up training, incentive and disciplinary programmes to promote compliance with the Police’s policies and procedures in relation to privacy and data protection.

The Police always attach great importance to information security and data protection. Respecting the investigation report released by the PCPD, the Police are actively studying the report and taking appropriate follow-up actions. The Police have emphasised that the loss of notebooks and FPTs only involved individual officers, rather than its information systems. Regarding the concerns and suggestions made by the PCPD, the Police’s responses are as follows:

Policies and procedures

The Police's policies on information security and personal data protection are set out in the Police General Orders, Force Procedures Manual and Force Information Security Manual, which would be reviewed and revised in a timely manner. Officers who fail to comply with these policies, procedures and guidelines may be taken as contravening police orders and subject to disciplinary actions.

The Police set up a working group led by the Deputy Commissioner of Police (Operations) in 2008 to study and formulate strategies to enhance information security, and take measures to prevent data leakage incidents. Moreover, the Police have adopted a series of initiatives to ensure that all information systems and procedures are maintained at the highest level in order to meet the challenge resulted from the rapid development of information technology.

The Police have a set of stringent internal guidelines and procedures in place to regulate the issuing and handover of notebooks and FPTs. In fact, before the PCPD released the abovementioned investigation report, the Police conducted a thorough review of the internal guidelines on handling of notebooks in November 2012 and introduced a number of additional measures to enhance protection of personal data and strengthen the monitoring mechanism. The additional measures include, among others, requiring the relevant supervising officers to take immediate actions for protection of personal data, and requiring Chief Inspectors and Superintendents to step up monitoring of the issuing and retention procedures of notebooks.

Besides, the Police will strengthen the current guidelines on the procedures for handling FPTs with a view to ensuring that, upon conclusion of an officer's daily duties, the counterfoils of the FPTs issued will be properly inspected and returned to the summons office. To enhance the operational efficiency and effectiveness in Police's traffic ticketing duties, the Police would conduct a trial of issuing fixed penalty tickets through electronic means in early 2014 to test the capability and suitability of the system and devices.

Also, the Police have set up a special working group to holistically review matters relating to the loss of documents, including the procedures in handling notebooks and FPTs. A number of measures have been suggested to improve the existing policies and procedures.

Supervision and monitoring

Apart from vigorously enhancing the current internal guidelines on the procedures concerning notebooks and FPTs, the Police are now exploring the use of computerised system for higher efficiency and timely supervision of the issuing and retention of notebooks, and for better monitoring by supervising officers. Furthermore, the Police have adopted measures to intensify the monitoring of officers returning notebooks, directing supervising officers to ensure that their subordinates would return notebooks within a specific timeframe, and account for failure to do so without justification. Such measures aim to increase the monitoring responsibility of supervising officers.

The Police have conducted in-depth investigation into each of the cases probed by the PCPD in relation to the loss of notebooks or FPTs, and have taken disciplinary actions against the officers concerned, including warning and severe reprimand.

Equipment and uniform

The Police note that the loss of notebooks or FPTs may be attributed to individual officers' failure to use the existing equipment properly or to lock the police motorcycle panniers. Upon investigation, the Police consider that there is no direct correlation between the incidents and the designs of the equipment or uniform. The Police will continue to raise officers' awareness of privacy and personal data protection by means of training, supervision and punitive measures.

Enhancing the awareness of privacy and data protection

The Police will remind officers to comply with requirements concerning data protection and information security, and enhance their sensitivity to and awareness of information security and privacy protection through a series of education and training programmes, including divisional work improvement teams, regular training days, bulletin board messages, information security guidelines and seminars. Concerning the loss of police documents containing personal data caused by the negligence of individual officers, the Police will handle such cases seriously and take disciplinary actions against the officers concerned.

Yours sincerely,

(Mrs Millie Ng)
for Secretary for Security

C.C

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