

**For discussion  
on 12 May 2015**

## **LegCo Panel on Food Safety and Environmental Hygiene**

### **Measures to Enhance Training and Protection of Law Enforcement Officers for Hawker Management**

#### **Purpose**

This paper informs Members of the measures being taken to enhance training and protection of law enforcement officers of the Food and Environmental Hygiene Department (FEHD) with a view to enabling them to better meet the day-to-day challenges when conducting hawker management and enforcement operations.

#### **Hawker Management Policy**

2. Street hawking has a long history in Hong Kong. For many years, the Government's policy has been to properly regulate the hawking activities of licensed hawkers and take enforcement action against illegal ones. Street hawking provides job opportunities, and through it, customers may find a cheaper source of goods. However, hawking activities give rise to environmental hygiene and noise problems as well as obstruction to public passageways, thus causing nuisance to nearby residents and pedestrians. In the past, the Government implemented various measures to combat the hawker problem, including the construction of public markets to resite on-street hawkers, designation of hawker permitted places and bazaars, cessation of the issuance of new hawker licences since the 1970s, and the formulation of policies to restrict succession rights. These measures and strict enforcement actions have helped contain to a large extent the nuisances caused by hawking activities. The decision of not issuing new hawker licences, coupled with the gradual changes in the shopping habits of the population and the growing competition from other retail outlets (especially chain stores) have led to a gradual reduction in the number of licensed

hawkers. The number of licensed hawkers has dropped from 49 000 in 1971 to about 6 300 at present. In the past five years, FEHD received on average about 28 000 complaints a year relating to street hawking activities.

3. Under the Government's current hawker management policy, we seek to strike a proper balance between allowing legal hawking activities on the one hand and maintaining environmental hygiene, ensuring public safety and protecting the public from nuisance on the other.

4. Hawker management duties are undertaken by the Hawker Control Team (HCT) of FEHD. As at the end of December 2014, FEHD had an establishment of some 2 200 officers in different ranks of the Hawker Control Officer (HCO) grade<sup>1</sup> who perform hawker management and enforcement duties.

### **Hawker Management Strategy**

5. FEHD has a duty to keep main thoroughfares, areas of high pedestrian flow and the vicinities of markets/hawker bazaars free of illegal hawkers as far as possible. Since late 2001, FEHD has adopted the strategy of carrying out immediate arrest and seizure of commodities and equipment without prior warning under the following scenarios –

(a) sale of prohibited/restricted or cooked foods; and

(b) hawking in major thoroughfares, areas of high pedestrian flow such as pedestrian precincts, Mass Transit Railway entrances/exits, bus termini and ferry concourse, heavily used footbridges, overseas workers rendezvous, tourist spots and places under substantiated and repeated complaints of hawking activities.

6. When acting against illegal hawking activities that do not fall within the scope mentioned in paragraphs 5(a) and (b) above, FEHD's

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<sup>1</sup> The grade consists of five ranks, namely Principal Hawker Control Officer (PHCO); Chief Hawker Control Officer (CHCO); Senior Hawker Control Officer (SHCO); Hawker Control Officer (HCO) and Assistant Hawker Control Officer (AHCO).

frontline staff would, generally speaking, verbally warn the hawkers first and ask them to disperse. If the verbal warning is unheeded, prosecution action would follow. The objective of hawker management operations could normally be met by adopting the “disperse or else we would arrest” tactic. Such a tactic calls for vigilance, flexibility and irregular patrolling to keep the hawkers from taking root. If the unlicensed hawkers persist in trading and do not disperse, arrest action will be taken.

7. To ensure that hawker management operations are effectively carried out, the Department has issued operational guidelines covering issues such as safety consideration during raiding operations, arrest and prosecution procedures. HCT’s particular attention is drawn to the need to put the situation at the scene under observation, and to gather sufficient evidence before instituting a charge against illegal hawking activities. The guidelines stipulate that each squad assigned to carrying out sector patrols be divided into sub-teams, each comprising two Assistant Hawker Control Officers (AHCO), so that they could look after each other. The guidelines also state clearly that the safety of hawkers, passers-by and HCT officers is of primary importance. These guidelines are reviewed from time to time in view of changes in operational requirements and staff feedback.

### **Difficulties in Hawker Management and Enforcement**

8. Hawking is a complex problem. On the one hand, hawking activities often cause environmental nuisances and obstruction in public places. There have been strong demands from local residents for more stringent enforcement actions against such activities. On the other hand, there exists a general sentiment in the community which recognises on-street hawking as a form of economic activity that provides a convenient means for the grassroot to earn a living, and as part of Hong Kong’s way of life. With the size of the hawker community dwindling in the course of time, there have also been calls from some quarters to retain and revitalize the hawking trade to preserve local culture and traditions.

9. The day-to-day challenges facing HCTs are multi-fold. Some unlicensed itinerant hawkers are highly mobile and often employ the hit-and-run tactic. When asked to disperse, they would do so. However,

as and when the hawker patrol team has left the scene to patrol other locations, they would take advantage and return to the major hawker black spots or locations with heavy pedestrian flow. HCT staff members have to ensure that there is adequate manpower to prevent resurgence in hawking activities as far as practicable.

## **Training on Hawker Management and Enforcement**

10. Against the aforesaid background and difficulties encountered in hawker management and enforcement, FEHD provides structured and tailor-made training to staff in the HCO grade. The training programmes include induction training, refresher courses and experience sharing sessions.

### *Induction Training*

11. At present, all new recruits at the AHCO rank (the entry rank in the HCO grade) are required to undergo a 44-day-long, intensive, mandatory induction training programme before they are posted to the districts or other units to perform functional duties. The training programme covers an introduction to the operations of the department as a whole, law and legal procedures related to hawker management, occupational knowledge and skills (including training on use of digital camera and radio communication equipment), as well as practical training (including simulated training, mock raid training, mock court training, coaching and field attachment to hawker sections in the districts or hawker control task force). With a view to identifying scope for continuous improvement to the training, the FEHD management evaluates the training through, among others, gauging the views of the trainees.

12. There are also specific training modules on personal effectiveness and management skills, including interpersonal skills, handling confrontational situations, emotional intelligence, stress management, risk assessment and crisis handling, and self-defence. In particular, the self defence programme seeks to equip trainees with basic skills in protecting themselves if being attacked. Skills on defensive tactics to protect oneself or minimize bodily harm if being attacked are taught. Based on evaluation by the trainees at the end of the induction training course and feedback from

their supervisors, the training provided works well to enhance the trainees' knowledge, skills and confidence in handling complaints and confrontation.

### Refresher Training and Experience Sharing

13. In addition, refresher training courses and experience sharing sessions will be organized from time to time for staff in the HCO grade to reinforce their knowledge and skills and to share experience. Some refresher courses have particular focus on team building and effective leadership as it is considered that good leadership and a cohesive hawkler control team not only enhances work efficiency, but also offers better protection to all team members.

### **Equipment Available to HCT Staff**

14. FEHD has put in place a radio communications system for HCT to provide a speedy means of communication between different levels of operation. With a view to improving the performance of the system, enhancement works, including reconfiguration of base station equipment, relocation of existing base stations, installation of additional base stations and introduction of tone-lock<sup>2</sup> facilities, were carried out from 2008 to 2011. To further enhance communication, mobile phones<sup>3</sup> have been provided to HCT to supplement the present radio telecommunications system. Some video cameras and digital cameras are also provided to HCT offices to facilitate their enforcement work.

### **Enhancements to Training and Protection**

15. In late March 2015, FEHD met the representatives of major staff unions and listened to their views on measures to enhance staff training and protection among other things. To follow up the recent exchanges, FEHD has/will put in train the following:

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<sup>2</sup> The incorporation of 'tone-lock' in radio communication system is to superimpose a specific sub-audio tone on the normal audio signal for effectively preventing the squad teams in different districts who share the common channel from hearing the others.

<sup>3</sup> Mobile phones are provided for making local calls for communication purpose.

- (a) Better equipment support – To ensure that HCT operations are underpinned by effective and efficient communication system and that suitable equipment is provided to HCT staff, we are conducting a review and actively considering proposals to upgrade the equipment provided to HCT.
- (b) Public communication – To facilitate HCT operation and improve our communication with illegal hawkers who are from the ethnic minorities (EM), the Department is preparing to print pamphlets in different languages for dissemination by the end of July 2015 among the EM community to advise them that illegal hawking is an offence in Hong Kong.
- (c) Tailor-made training programmes – To better equip staff with skills in handling difficult situations, a series of new training programmes would be provided:
  - (i) The “Self Defence” training module in the induction training has been strengthened since April 2015 to put more emphasis on “self-protection when being attacked”. Trainees are required to practise in the “Self Defence” course how they should react when being attacked or pushed in order to avoid injury or reduce the degree of bodily harm.
  - (ii) A self-learning video on “Protecting oneself when being pushed” was produced and CD-ROMs containing the video were distributed to all districts and hawker control task force on 10 April 2015 so that HCO teams could refresh the relevant knowledge and skills whenever in need. The video was also uploaded to the departmental portal in April 2015. The objectives of the video are to provide quick tips on how to protect oneself in difficult situations, including preventive measures to minimize the risk of being attacked and practical tips on reducing injury when an attack could not be avoided.

- (iii) A self-learning video on “Tips on Communicating with Ethnic Minorities” was also produced and CD-ROMs containing the video were distributed to all districts and hawker control task force on 10 April 2015. The video was also uploaded to the departmental portal in April 2015. This short video records an interview with the officer-in-charge of the Hong Kong Christian Service’s “Centre for Harmony and Enhancement of Ethnic Minority Residents”, who offers concise and practical tips on communicating effectively with members of the ethnic minorities. The general principle is to communicate with them as with communicating with any members of the general public, with respect, patience and courtesy. The video would help our colleagues understand more about the culture of these ethnic communities and avoid unnecessary misunderstanding and confrontation.
- (iv) An experience sharing session is added to the “Risk Assessment and Crisis Handling” training module which forms part of the induction training starting from May 2015. The session will be conducted by veteran field staff to acquaint the trainees with various scenarios of difficult situations that may be encountered in actual daily operations, and the most appropriate approaches and skills for handling such situations.
- (v) A 3-hour seminar on communicating with the ethnic minorities will be organised in June 2015. The objective is to enable trainees to gain a better understanding of the culture of the ethnic minority groups to facilitate more effective communication with them.
- (vi) The current outdoor training workshop on “Leadership and Team Building” will be further expanded so that more trainees may participate in the two additional workshops each year. The additional workshops will be offered on 12 and 16 June 2015. The objectives of the workshop are to enhance leadership skills, strengthen collaboration

within the team and among different teams, as well as build trust and team spirit such that a united and cohesive hawker control team could be formed.

### **Manpower Enhancement**

16. Staff in the HCO grade are currently responsible for enforcement action against shop-front extension to curb illegal hawking activities and related obstruction problems. To strengthen the manpower for this aspect of their work, 39 new posts comprising three SHCOs, six HCOs, 24 AHCOs and six Workmen I are being created in 2015-16. They will be deployed tentatively from mid-2015 as three task force squads to districts where shop front extension problems are more serious. This will, to a certain extent, relieve the workload of the existing hawker control squads from the intensive enforcement actions against illegal hawkers on streets.

17. The Department will continue to review the enforcement strategy, operational guidelines and manpower requirement in consultation with relevant staff unions to cope with the demands and expectations that members of the public place on our work in hawker management and enforcement. We will shortly meet with the union representatives to further exchange views.

### **Advice Sought**

18. Members are invited to note and give views on the content of this paper.

**Food and Health Bureau**  
**Food and Environmental Hygiene Department**  
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