

立法會 *Legislative Council*

LC Paper No. CB(2)1394/14-15(08)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Information note prepared by the Legislative Council Secretariat for the meeting on 12 May 2015

Training and protection of law enforcement officers of the Food and Environmental Hygiene Department

According to the Administration, the Hawker Control Teams ("HCTs") of the Food and Environmental Hygiene Department ("FEHD") are enforcement teams mainly responsible for controlling on-street hawking activities. Their duties include managing hawking activities of licensed hawkers and taking enforcement action against illegal hawking. To control hawking activities, 191 squads of HCTs¹ are deployed at district and division levels, including the Divisional Task Force (15 squads in Hong Kong and Kowloon divisions and 12 squads in the New Territories division). The establishment of hawker control officer grade for 2013-2014, 2014-2015 and 2015-2016 is 2 209, 2 210 and 2 243 respectively.

2. To combat unlicensed hawking, HCTs conduct sector patrols and raids at hawker black-spots. The current enforcement strategies against hawking activities are as follows -

- (a) HCTs continue to take stringent enforcement action against unlicensed hawkers selling prohibited/restricted food or cooked food;
- (b) HCTs maintain hawker-free situation in major thoroughfares, areas of high pedestrian flow (for example, heavily used footbridges, MTR Lines/West Rail Lines/Light Rail Lines entrances/exits, ferry concourse and bus termini, tourist spots and pedestrian precincts,

¹ There are 125 squads in Hong Kong and Kowloon and 66 squads in the New Territories.

etc) and places under repeated complaints of hawking activities; and

- (c) provided that food and environmental hygiene would not be compromised, HCTs will issue verbal warning to licensed hawkers or unlicensed hawkers (selling non-food dry goods) if and when they cause obstruction or are subject of complaint. If the verbal warning is not heeded, HCTs will take the normal course of enforcement and seizure action.

3. When discussing with the Administration the subject of hawker control policy and hawker raiding operations at the meeting of the Panel on Food Safety and Environmental Hygiene on 11 July 2006, concern was raised whether performance of hawker control team staff was evaluated in terms of enforcement and arrest actions taken. Members were advised that it was clearly laid down in the department's guidelines that the effectiveness of hawker control was not evaluated in terms of arrest or prosecutions figures. To render anti-hawking operations more effective, FEHD was considering a number of improvement measures including organizing a focused training course to enhance the skills of HCT staff in handling crises/incidents. These improvement measures are set out in **Appendix I**.

The recent attack on an HCT officer

4. On 15 March 2015, an HCT officer of FEHD met with resistance when he was discharging duties in the vicinity of Des Voeux Road in Central. He suffered severe head injuries and died in Queen Mary Hospital on 18 March 2015 after being knocked to the ground unconscious by an allegedly illegal Pakistani hawker. The incident raised concerns about the measures to enhance the training and protection of law enforcement officers of FEHD. Media reports on the incident are in **Appendix II**. The relevant press release issued by the Administration is in **Appendix III**.

5. In its reply dated 8 April 2015 (LC Paper No. CB(2)1204/14-15(01)) to Mr WONG Kwok-hing's letter dated 18 March 2015 concerning the incident, the Administration advised that FEHD had provided HCT staff with guidelines on patrol, arrest and prosecution procedures. The guidelines stated clearly that the safety of hawkers, passers-by and HCT officers was of utmost importance. Under the existing guidelines, each squad assigned to carrying out sector patrols should be divided into sub-teams, each comprising two Assistant Hawker Control Officers, so that they could look after each other. FEHD would actively study proposals to upgrade the equipment provided to frontline staff, and would maintain communication with and follow this up in consultation with

the Hawker Control Officer grade.

6. As for staff training, the Administration advised that FEHD at present provided induction training for all newly-recruited Health Inspectors, Assistant Hawker Control Officers and Foremen. Assistant Hawker Control Officers were also required to take self-defence courses. FEHD also arranged suitable refresher courses regularly for staff members in need. To strengthen the training provided to frontline officers on how to communicate with expatriates and ethnic minorities, FEHD was in the process of producing a self-learning video which was expected to be released within April 2015. FEHD would also engage voluntary agencies to conduct, before July 2015, seminars that would help its staff to better understand the culture of expatriates and ethnic minorities.

7. The Administration will brief members on measures to enhance the training and protection of law enforcement officers of FEHD at the upcoming meeting on 12 May 2015.

Council Business Division 2
Legislative Council Secretariat
5 May 2015

Measures to improve the effectiveness of anti-hawking operations

At the meeting of the Panel on Food Safety and Environmental Hygiene on 11 July 2006, the Administration advised that it was considering the following improvement measures to render anti-hawking operations more effective:

(a) hawking blackspots

- to avoid arguments that hawkers might not know which locations were classified as blackspots at which no prior warning would be given before taking enforcement action against hawking offences, Food and Environmental Hygiene Department ("FEHD") planned to provide the District Councils ("DCs") with a list of such areas in their respective districts and keep them updated at regular intervals. DC members would be welcome to comment on the list and make recommendations;

(b) record of prior warnings

- concerns had been expressed by some holders of the itinerant hawker licences that adequate prior warnings were not issued before taking out prosecution against them for causing obstruction in a public place. At present, the Hawker Control Team ("HCT") staff were required to record details of verbal warnings issued in their notebooks. To avoid any misunderstanding of and dispute over the warning administered, FEHD would consider ways to strengthen the system. Initial ideas included providing a standard statement for use by HCT staff and requiring HCT staff to report the issue of verbal warnings to the District Control Centre for record through portable radios on site in addition to making records in the notebooks;

(c) enhanced training on crisis handling

- FEHD planned to further enhance the skills of HCT staff in handling crises/incidents by organizing a focused training course. Attendance would be made mandatory for all HCT staff and it was anticipated that the first class would commence in mid August 2006; and

(d) 'plain-clothes' operations

- FEHD continued to see the need for some HCT staff to be in 'plain clothes' in discharging their duties. FHED would discuss with the staff the practical problems related to the wearing of plain-clothes and further improve the operational guidelines in this matter.

Source: Information extracted from the Administration's paper entitled "Hawker Control Policy and Operations" issued for discussion on 11 July 2006 [LC Paper No. CB(2)2663/05-06(04)].



附錄 II Appendix II

文章總數: 1 篇

1. 東方日報 | 發行人/接觸人次: 500,000 | 2015-03-19
報章 | A18 | 港聞
字數: 1034 words

重摔昏迷四日 販管森哥殉職

捉小販遇襲的販管主任胡廣森，昏迷四日不治，涉案巴籍疑兇昨晚被落案暫控一項誤殺罪，今日在東區裁判法院提訊。周日在中環街頭捉非法擺賣小販時，慘遭重摔落地昏迷的胡廣森，延至昨日下午不治，是食環署首名因公殉職的員工。

森哥遺體被送往停屍間安放。（林兆崙攝）

殉職的胡廣森（五十八歲），人稱「森哥」，加入食環署逾三十年，他有四兄弟姊妹，與泰籍妻子育有三名子女，妻兒長居泰國，他則與年屆八十歲母親同住彩虹邨。本周日，「森哥」獨自在中環德輔道中二十五號門外捉小販時被人摔落地下，後腦着地昏迷，入院後一直昏迷。據現場大廈「天眼」拍下的森哥遇襲過程，他由捉到疑犯到被跌落地僅八秒鐘，涉案三十六歲巴基斯坦籍小販，前日自行到中區警署投案自首，涉嫌傷人被捕。

昨午四時五十五分，森哥證實不治，食環署署長劉利群到醫院與其家人陪他走完人生最後一程。特首梁振英、食物及衛生局局長高永文、公務員事務局局長鄧國威及劉利群，對森哥不幸離世同表難過及惋惜，部門會盡力向其家人提供協助及度過難關。劉利群表示：森哥一直堅守崗位，竭誠服務大眾，工作表現優秀，痛失這位盡忠職守的同事，感到難過和惋惜，向其家人致以最深切慰問。」

部門將會晤員工 商執勤安全

她又強烈譴責粗暴阻撓公職人員執法不當行為，並非常關注前線人員執勤時的安全。就今次事件，署方將與工會及有關職系同事會面，聽取他們的意見，研究需要改善之處，以保障前線同事執勤時的人身安全。

另外，根據公務員事務局就因公殉職的公務員福利安排，森哥的家屬可獲一筆相等於該名僱員三十六個月月薪的死亡恩恤金，而小販管理主任屬公務員總薪酬表第十八個薪點，月薪約三萬元，該筆恩恤金約值一百零八萬元。而森哥服務食環署超過三十年，以舊制公務員退休金計算，其家屬可一次過領取逾七十五萬元的退休金，或每月領取一萬三千多元。

料補償二百萬 首位食環葬浩園

連同森哥未放取的例假薪金及最高七萬元的殮葬補助金，估計補償金超過二百萬元。而殉職的公務員可於浩園安葬，換言之，森哥將成為第一位葬於浩園的食環署人員。食環署發言人指，會按既定機制處理及跟進有關事宜。

小販管理主任工會理事長黃嘉友對胡離世感難過，昨曾接觸其家屬，他們心情悲痛，工會將提供可行協助。工會亦已與食環署福利組聯絡，得知部門正按公務員規定處理恩恤及福利事宜。他又指，下星期將約見署方，就前線人手、裝備和培訓等，探討提升方法。食環署職工權益工會主席李美笑對事件感到不幸及惋惜，又批評署方多年來未有做好公眾教育，令前線執勤人員的負面形象多年來未有改善。

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文章總數: 1 篇

1. 文匯報 | 發行情/接觸人次: 132,000 | 2015-03-19
報章 | A15 | 香港新聞
字數: 1290 words

販管「森哥」不治 疑兇控誤殺 特首局長同表悲痛 署長送最後一程

香港文匯報訊 (記者 杜法祖) 即將退休的食環署小販管理隊主任胡廣森，本週日 (15日) 在中區執勤期間疑遇襲頭部重創昏迷，留醫4日延至昨午4時55分在瑪麗醫院不治，食環署署長劉利群有到醫院送胡最後一程。特首梁振英與食物及衛生局局長高永文均對胡的離世感到悲痛，表示當局會盡力協助他的家人度過艱難時刻。由於傷者終告不治，警方已將傷人案改列誤殺案。而涉案自首的巴基斯坦裔疑犯，昨晚已被警方控以一項誤殺罪，今日在東區裁判法院提堂。

人稱「森哥」的58歲食環署小販管理隊主任胡廣森，據了解尚有半年便退休。本週日下午4時33分，他在中區德輔道中25號安樂園大廈對開，獨自擬向一名隨街擺賣的南亞裔無牌小販採取行動時，雙方發生糾纏，混亂間胡被推跌地上，疑後腦着地當場昏迷，送院搶救後因腦部重創一直昏迷，家人連日來均在病榻前守候。

事件引起當局高度重視，特首梁振英更一連兩日對事件表示關注，強調醫療團隊將全力拯救傷者，而涉案36歲巴基斯坦裔小販，亦於前日向警方自首被捕。惜胡最終留醫4日，延至昨日下午終告不治。

劉利群：深切慰問胡家人

昨午在「森哥」死訊公布前，不時有「森哥」的同事出入瑪麗醫院7樓的C7神經外科病房，另外食環署署長劉利群亦有前來，她離開時向傳媒表示對胡的家人致以深切慰問。及至下午5時許，醫院即傳出「森哥」已離世的消息，不久更見「森哥」的遺體被推出病房送入停屍間暫時存放。

警方表示，將安排驗屍，確定死者死因。中區警區重案組正積極調查及跟進案件，又呼籲目擊者致電3660 1282提供資料。

當局：盡力支援「森哥」家屬

特區行政長官辦公室於昨傍晚透過新聞處發放新聞稿，指行政長官梁振英對事件深感悲痛：「我向胡先生的家人致以最深切的慰問。政府相關部門亦會盡力向胡先生的家人提供所需支援和協助。」食物及衛生局局長高永文對胡的離世亦感到非常傷心難過，他代表食物及衛生局向胡的家人致以慰問，又指部門的同事會在這艱難的時候，盡力向其家人提供任何的協助及安排。

公務員事務局局長鄧國威及食環署署長劉利群亦對胡廣森的離世感到哀痛，並向其家屬致以最深切慰問，劉利群讚揚「森哥」在食環署服務超過30年，一直堅守崗位，竭誠服務大眾，工作表現優秀，而且深受同事愛戴。她表示：「對於痛失這位盡忠職守的同事，我感到十分難過和惋惜，並代表部門所有同事向他的家人致以最深切慰問。」署方會繼續與胡的家人保持緊密聯繫，提供一切所需協助，幫助他們度過這艱難時刻。

民建聯漁農界立法會議員何俊賢表示，對食環署販管主任胡廣森不治深感難過，向胡廣森致以最崇高的敬意，並向其家人表示深切慰問，要求當局向其家人提供適切幫助。

他指出，有說小販可增加地區特色，助長小型經濟發展、推動創業，但也有意見批評非法擺賣影響市容，帶來衛生、噪音及污染等問題。民建聯希望能尋找出平衡方案，故在立法會小販政策小組委員會中積極提供意見，而委員會也預期不久會向大會提交報告，惟是次悲劇已不幸發生。

何俊賢盼依法追究施暴者

何俊賢認為，無論誰對誰錯，任何問題也不應訴諸暴力，施暴者就算有百般委屈，最終也只會招來社會的反彈。民建聯一直反對任何形式的暴力，期望特區政府依法追究施暴者的法律責任，勿使暴力歪風蔓延。

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文章總數: 1 篇

1. 中國日報香港版 | 發行情/接觸人次: 29,500 | 2015-03-19
報章 | P01 | Front Page | ASSAULT | By LUIS LIU
字數: 447 words

Officer dies from injuries

By LUIS LIU in Hong Kong luisliu@chinadailyhk.com The hawker control officer assaulted by an unlicensed hawker in Central on Sunday died at Queen Mary Hospital on Wednesday.

Chief Executive Leung Chun-ying and Secretary for Food and Health Ko Wingman expressed their “profound sadness” and extended “their deepest condolences” to 58-year-old deceased officer Wu Kongsum’s family.

Leung said the government would provide any assistance necessary to help the family cope at this difficult time.

The case is under investigation as a 36-year-old Pakistani hawker surrendered himself at Central Police Station on Tuesday afternoon.

He was charged with manslaughter after Wu died, and will appear before a court today (Thursday).

According to surveillance footage published on Tuesday, Wu was working alone at the time of the assault. He approached a man selling baseball caps outside the On Lok Yuen Building on Des Voeux Road Central.

The footage showed Wu struggling with the hawker, and seconds later he was pushed to the ground. His head hit the ground and he was rushed into intensive care at Queen Mary Hospital.

Chairwoman of Hong Kong Food and Environmental Hygiene Department Staff Rights Union Li Mei-siu said officers had long been at risk of assault. Li advised the government to insist on “two man inspection teams” .

The union records around 100 work-related injuries every year, according to Li.

She said the situation was more intense when dealing with foreign nationals because of the communication barrier. With some hawkers ignorant of the city’s laws, this leads to more violent acts due to fears of imprisonment.

She urged that the Food and Environmental Hygiene Department (FEHD) conduct a review to avoid the reoccurrence of such incidents.

Ko Wing-man said he would boost protective measures for frontline law enforcement officers when police conclude their investigations. He urged the FEHD to consider enhancing training.

According to the FEHD, there have been 42 cases of hawker control team staff receiving injuries while on duty in the past 12 months.

FEHD Director Vivian Lau Lee-kwan said the department continues to support frontline colleagues “as usual” and will meet staff representatives to improve their patrolling system.

Agriculture and Fisheries Legislator Steven Ho Chunyin said the Legislative Council’s Subcommittee on Hawker Policy would submit a report urging the government to improve its hawker administration system.

CCTV screenshots show the attack by a hawker on hygiene officer Wu Kong-sum in Central on Sunday. Wu died in hospital on Wednesday.

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Appendix III

Press Releases

DFEH deeply grieved by death of hawker control officer

The Director of Food and Environmental Hygiene, Miss Vivian Lau, today (March 18) expressed profound sadness at the passing of hawker control officer, Mr Wu Kwong-sum, and offered her deepest condolences to his family.

Mr Wu, aged 58 and attached to the Central/Western District Environmental Hygiene Office, met with resistance when he was discharging duties in the vicinity of Des Voeux Road in Central on March 15. Sustaining severe head injuries, he was rushed to hospital for treatment and finally succumbed to his injuries today.

Miss Lau said, "Having joined the Food and Environmental Hygiene Department (FEHD) for over 30 years, Mr Wu served the community with dedication and perseverance. His performance was outstanding and he was held in high regard by colleagues. I am deeply grieved at the loss of such a devoted officer. On behalf of all our colleagues, I offer the deepest condolences to his family."

"We strongly condemn the improper acts of using force against public officers in the execution of their duties. We fully support our staff in discharging their duties in accordance with the law and are very concerned about the safety of our frontline staff when they are on duty. With regard to this incident, the department will meet with staff unions and representatives of the grade concerned to listen to their views on work arrangement, procedures and equipment, to see if there is a need for improvement in order to safeguard the personal safety of frontline staff in performing their duties," she said.

Miss Lau added that the FEHD will continue to liaise closely with Mr Wu's family and make every effort to render assistance to help them through this difficult time.

Ends/Wednesday, March 18, 2015
Issued at HKT 21:32

NNNN