

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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16 June 2020

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

Dear Ms Ma,

**Re: Panel on Security  
Response to Letter from Hon LAM Cheuk-ting**

I refer to your letter dated 22 May 2020 inviting the Administration's response to Hon LAM Cheuk-ting's letter on issues relating to the Thematic Study Report of the Independent Police Complaints Council. Our bilingual response is at Annex.

Yours sincerely,

  
( Ms Jenny Chan )  
for Secretary for Security

Encl.

c.c. Commissioner of Police  
(Attention:  
Ms Tammy Mak, Chief Superintendent of Police (Complaints & Internal  
Investigations Branch))

## **Response Concerning the IPCC Thematic Study Report**

The Independent Police Complaints Council (IPCC) published on 15 May the "Thematic Study Report on the Public Order Events arising from the Fugitive Offenders Bill since June 2019 and the Police Actions in Response" (the Thematic Study Report). The Thematic Study Report sets out the IPCC's detailed review to gain a broad picture of the large-scale public order events (POEs) and the corresponding Police actions since June 2019, as well as 52 recommendations in improving Police practices and procedures made in accordance with Section 8(1)(c) of the Independent Police Complaints Council Ordinance (Cap. 604, IPCC Ordinance).

### **Thematic Study Report Comprehensive and Objective**

2. Consisting of more than 1 000 pages, the Thematic Study Report has given a detailed account of six identified incident days and two important issues of public concern last year. In order to ascertain the facts and chronology of each incident, IPCC spent substantial time reviewing tremendous amount of information obtained from different sources, including 22 533 video clips and 23 550 photos from members of the public, more than 1 300 news articles and over 600 hours of news footage. The wide range of information sources includes the media, online discussion forums, social media platforms, video sharing sites, government departments, public institutions and the public. IPCC also cross-checked and verified the relevant information with the information provided by the Police to ensure that the content of the Report is evidence-based.

3. We consider that the Thematic Study Report is fact-based, balanced and objective. Apart from giving a factual account of the escalation of the destruction and the violence (including weapons) of the mob, it also points out the deficiency of the Police in handling large-scale POEs and therefore puts forward a total of 52 improvement recommendations to further enhance the Police's law enforcement efforts.

4. We noticed that some people criticized IPCC for not proactively contacting people involved in the POEs to find out what happened during the incidents. In fact, in order to provide a complete picture of the incidents, when IPCC began the review in July last year, it already proactively invited members of the public to submit information and set up specific e-mail and telephone hotline to receive information from all sectors of the society and the

public. The credibility of the allegations of some people is questionable as they did not contact IPCC or the Complaints Against Police Office (CAPO) to provide information but only criticized after the Thematic Review Report was published.

5. We must stress that IPCC is a statutory independent organisation comprising 26 non-official members drawn from different sectors of the society. In addition to the Chairman, Dr Anthony Neoh, who is a Senior Counsel, seven of the incumbent members are from the legal sector, and other members are from professional or other community sectors. With their rich experience in community and public service, and with the support of an independent full-time secretariat, members made committed and dedicated efforts in completing this objective and fact-based Thematic Study Report.

### **Task Force Established by Security Bureau to Follow up Thematic Study Report**

6. The Hong Kong Special Administrative Region (HKSAR) Government attaches importance to the follow up work of the recommendations of the Thematic Study Report. The Chief Executive requested the Secretary for Security to establish a task force and personally supervise the task force to study the report and follow up its 52 recommendations, as well as to communicate with relevant departments and organisations.

7. The Task Force of Security Bureau held its first meeting on 28 May, presided by the Secretary for Security, and laid down its work plan at the meeting. Due to the wide scope of the 52 recommendations, the Task Force categorised the 52 recommendations into five areas, and set up five sub-groups under the Task Force to focus on following up the work of the respective concerned area. The five areas are – enhancing release of public information and review of media relations; review of guidelines on the use of force; improvement of arrangements for temporary holding areas; enhancement of police operational deployment and strategies; and strengthening of the Police's internal management, co-ordination and training.

8. The Secretary for Security required the five sub-groups to assess the complexity and urgency of relevant issues with a view to determining the review and follow-up arrangements, reporting back and commencing the related work. Those items that are relatively less complex should be implemented as soon as possible. Examples include: following earlier indication by the Police that they have ceased using the San Uk Ling Holding Centre to detain persons arrested at public order events, they should submit to

the Task Force a clear policy for implementing such arrangement within a month; review and improvement of the protocols for organising press conferences with other departments or institutions as soon as possible; and improvement of manpower deployment, equipment and other arrangements at detention facilities for handling large-scale operations.

9. The Task Force will regularly submit work progress report to the Chief Executive. The first progress report is initially planned for submission to the Chief Executive in August, followed by quarterly reporting. The Police must also report to and discuss with IPCC its follow up actions in accordance with the mechanism under the IPCC Ordinance.

10. According to the IPCC Ordinance, IPCC is a statutory independent organisation with its statutory functions stipulated in Section 8 of the Ordinance. IPCC shall perform its functions in accordance with the IPCC Ordinance, and endeavour to monitor and review the Police's handling and investigation of Reportable Complaints. At the same time, IPCC monitors the Police's progress in implementing the improvement recommendations through the quarterly joint meeting with CAPO in order to respond to the needs of social development and to further enhance the service quality of the police force.

11. We need to respect the independence of IPCC, and the reporting and communication mechanism between IPCC and the Police under the IPCC Ordinance. The Security Bureau will continue to support IPCC in performing its functions independently according to the Ordinance. As always, the HKSAR Government will seriously follow up the improvement recommendations put forward by IPCC. The meeting and work arrangements of the Task Force will also actively tie in with the Police's progress reports to IPCC to support IPCC in discharging its statutory monitoring function.

## 有關監警會審視報告的回應

獨立監察警方處理投訴委員會（監警會）在 5 月 15 日發表「關於 2019 年 6 月起《逃犯條例》修訂草案引發的大型公眾活動及相關的警方行動」的專題審視報告（審視報告）。審視報告載述監警會就自去年 6 月起的大型公眾活動和警方採取的相應行動所作的宏觀性詳細審視，以及根據《獨立監察警方處理投訴委員會條例》（第 604 章，簡稱《監警會條例》）第 8(1)(c)條，就改善警隊的常規和程序提出的 52 項建議。

### 審視報告全面客觀

2. 審視報告超過 1 000 頁，詳細敘述去年六個特定日子發生的事件及兩項公眾關注的重要議題。為了確認各事件的事實和時序，監警會花了大量時間審視來自不同來源、數量龐大的資料，包括由公眾人士提供的 22 533 段短片和 23 550 幅照片、超過 1 300 篇新聞報道和超過 600 小時的新聞片段等，廣泛的資料來源包括媒體、網上討論區、社交平台、影片分享網站、政府部門、公營機構及公眾。監警會並將相關資料與警方提供的資料作比對及核實，確保報告內容有充分依據。

3. 我們認為審視報告基於事實，持平客觀，它既把暴徒的破壞和暴力（包括武器）不斷升級作事實陳述，也提出警隊處理大型公眾活動的不足之處，因而提出共 52 項改善建議，協助警隊完善執法。

4. 我們留意到有人批評監警會沒有主動接觸參與公眾活動的人士了解事件經過。事實上，為了釐清事件的全貌，監警會於去年 7 月剛開始審視工作時，已主動邀請公眾人士提交資料，並設立專門接收社會各界及市民提供資料的電郵和電話熱線。有部份人士不聯絡監警會或投訴警察課提供資料，卻在審視報告公布後作出批評，使人質疑他們指控的可信性。

5. 我們必須強調的是，監警會是獨立的法定組織，由 26 位非官方人士組成，成員來自社會各界：現任委員除了梁定邦主席為資深大律師外，有七位委員來自法律界，其他委員來自不同專業或其他界別。他們擁有豐

富的社會和公職經驗，在獨立的全職秘書處的支援下，盡心竭力地撰寫這份客觀和以事實為基礎的審視報告。

## 保安局成立專責小組跟進審視報告

6. 特區政府重視跟進審視報告建議的工作，行政長官要求保安局局長成立專責小組，親自督導小組研究和跟進報告提出的 52 項建議，以及與相關部門和機構溝通。

7. 保安局專責小組於 5 月 28 日召開首次會議，由保安局局長主持，會上擬定專責小組的工作計劃。由於 52 項建議涉及的範圍廣泛，專責小組將 52 項建議分為五個範疇，並在專責小組轄下設立五個工作小組，分別聚焦跟進所負責範疇的工作。五個範疇分別是 — 加強公眾信息發放和檢討與傳媒關係；檢討武力使用指引；改善臨時羈留處的安排；優化警方行動部署和策略；以及加強警隊內部管理、協調和培訓。

8. 保安局局長要求五個工作小組在評估相關議題的複雜性和迫切性後，訂出檢討和跟進的處理方法，匯報及展開相關工作。一些複雜性相對較低的項目應盡快予以落實，例如警方早前已表示停用新屋嶺扣留中心拘留公眾活動被捕人士，警務處於一個月內向專責小組提交落實有關安排的明確政策；並應盡快檢討和改善警方與其他部門或機構召開新聞發布會的制度；以及改善羈留設施在處理大型行動的人手編配、設備和其他安排。

9. 專責小組會定期向行政長官提交工作進度報告，初步擬定於 8 月向行政長官匯報首份進度報告，之後作季度報告。警方亦須透過《監警會條例》下的機制，向監警會匯報及商討跟進行動。

10. 根據《監警會條例》，監警會是一個法定的獨立機構，其法定職能詳列於條例第 8 條。據此，監警會須按照《監警會條例》履行其職能，竭力監察和覆檢警方就須匯報投訴的處理和調查工作，同時透過與投訴警察課舉行的季度聯席會議，監察警方實施改善建議的進度，以回應社會發展的需要和進一步提升警隊的服務質素。

11. 我們需尊重在《監警會條例》下監警會的獨立性，與及監警會和警方之間的匯報和溝通機制。保安局會繼續支持監警會根據條例獨立履行其職能。一如以往，特區政府會認真跟進監警會提出的改善建議，而專責小組的會議和工作安排也會積極配合警方向監警會的進度匯報，支持監警會發揮其法定監察職能。