

LCQ17: Police use necessary force to restore public safety and order

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (March 18):

Question:

It has been reported that the Police used shock bombs and flash bangs when handling public events in November last year. Regarding the use of such weapons by the Police, will the Government inform this Council:

(1) of the details of the cases involving the use of the aforesaid weapons by police officers in public events since June last year, including (i) the numbers of police officers concerned, (ii) the quantities of the weapons used, and (iii) the purposes of using the weapons, and set out the information by date;

(2) whether it has investigated if the use of the aforesaid weapons by the police officers referred to in (1) on the dates concerned was in compliance with the relevant guidelines; if it has investigated and the outcome is in the affirmative, of the details of the guidelines; if the investigation outcome is in the negative, whether the Police will institute disciplinary proceedings against the police officers concerned;

(3) of the details of the guidelines on the safe use of such weapons provided by the manufacturers, including but not limited to (i) the shortest safe distances from the targeted people to be maintained, and (ii) the limits on the frequencies of the continuous use;

(4) of the level of force that the Police has classified the aforesaid weapons to be;

(5) of the respective maximum levels of brightness and volume of sound generated by the aforesaid weapons in continuous use and in single-time use;

(6) of the respective harms to the human body at the worst in the short term and long term that may be caused by the use of the aforesaid weapons under the circumstances that the relevant safety guidelines are (i) complied with and (ii) not complied with;

(7) whether the aforesaid weapons are suitable for use in crowd management; whether it knows the law enforcement agencies outside Hong Kong that have used such weapons for that purpose;

(8) whether the Police have drawn up guidelines to ensure that the use of the aforesaid weapons will not cause crowd panic and then lead to stampede

incidents; if so, of the details of the guidelines; and

(9) of the number of occasions on which the aforesaid weapons have been used by the Police since the reunification of Hong Kong, and the types of crimes allegedly committed by the suspects against whom such weapons were used?

Reply:

President,

The reply to the enquiries raised is as follows:

Hong Kong citizens enjoy the freedom of and rights to assembly and procession. However, when expressing their demands, they should abide by the Hong Kong law and do so in a peaceful and lawful manner. According to section 10 of the Police Force Ordinance (Cap 232), it is the statutory duty of the Police to maintain public safety and public order. Since June 9 last year, more than 1 400 protests, processions and public meetings have been staged in Hong Kong, many of which eventually turned into illegal acts of serious violence. To respond to and curb violent acts, where circumstances require, the Police have to use the necessary force to control the scene, with a view to restoring public safety and public order. We would like to stress that if the expression of views was conducted in a peaceful and lawful manner, there would be no need for the Police to use any force.

On November 18, 2019, some netizens called on a large number of people online to block roads in various districts, claiming that it was a tactic of "besieging Wei to rescue Zhao" (i.e. relieving a besieged ally by attacking the home base of the besiegers). The aim was to distract the Police so that the rioters who were staying at the Hong Kong Polytechnic University could escape. Up till the small hours of November 19, thousands of rioters wreaked havoc and blocked roads in the Yau Ma Tei and Jordan areas, including building barricades with sundries, attacking police officers with bricks and sundries and hurling nearly 1 000 petrol bombs in total, posing serious threats to the personal safety and lives of people and law enforcement officers at the scene. The scene was not just a matter of ordinary crowd management, but a matter of serious violence and threats to personal safety and public safety.

Throughout the operation, the Police repeatedly warned rioters to stop their illegal acts and leave the scene. Having issued numerous warnings in vain, in order to protect personal safety and restore public safety, the Police had to conduct dispersal and arrest operations, arresting a total of 213 persons. While the Police were trying to control these arrested persons, over 1 000 people nearby interfered with and attacked the Police in different ways, including hurling sundries and petrol bombs at police officers and even attempting to snatch suspects. In view of these serious violence and threats to personal safety and public safety at the scene, police officers had to use different levels and the necessary force when discharging their duties, having assessed the actual circumstances at the material time with their professional judgement. The weapons used by the Police were also subject to

the assessment and professional judgement based on the actual circumstances at the scene.

The Police have stringent guidelines on the use of force. Police officers may use appropriate force only when it is necessary. Warnings should be given prior to the use of force as far as circumstances permit, while the persons being warned should be given every opportunity whenever practicable to obey police orders. Once the purpose of using force is achieved, the Police will cease to use force. All police officers must be accountable for their use of force, and commanders will monitor them at the scene to ensure they use force in a lawful manner. The use of weapon mentioned in the question complied with the guidelines of the Police.

Police officers have to go through professional training on the use of different equipment and weapons. In addition to the performance and the use of the equipment and weapons, the professional training also includes how to make professional assessment and tactical interaction etc. As the specifications, features and use of specific equipment and weapons by the Police, particularly in facing serious violent situations, involved operational details and the Police's tactical deployments, it is not appropriate for disclosure or else it may undermine their operational efficacy.