

Today, I will introduce the 3 new measures to be launched by the Force

The first one is Notice to Appropriate Adult

The second one is the Care Card Scheme

The last one is the Behavioural Indicators

The Force devised the new package because

firstly, we hope that no one is unfairly treated due to his or her illness

This means MIPs will not be subject to unfair or poorer treatments due to their disabilities

Secondly, we strive for excellence

and hope to enhance our service for our MIP friends

But it is far from adequate solely relying on the police

so we hope to enhance the service for MIPs by leveraging the cooperation and support of every stakeholder

To start with, I would like to briefly talk about occasions the general public will come into contact with the police

Usually it is when he or she is a victim, a witness, or an arrested person (AP)

As for the general investigation procedures

no matter which category the subject belongs to

it is very likely the police will interview him or her

For an AP, the subject will be arrested, and then interviewed by the Duty Officer after body search

The Duty Officer has to examine the reason of arrest

If the reason is sufficient, our colleagues will continue to investigate or else the subject will be released

The Duty Officer will also see if the subject has any medical needs and if he needs to see a doctor

Other procedures include collecting fingerprints, collecting DNA samples for analysis and conducting identification parade

In any case, we have to finish the basic investigative tasks within 48 hours after the arrest

and then arrange to release the AP either on bail or unconditionally

In serious case, the AP will be charged

After charging the AP, if the case is considered relatively mild

we will arrange court bail and let the subject attend the court on his own

whereas in relatively serious case

we will detain the AP until he was brought to the court

To ensure the rights of mentally capacitated persons, i.e., MIPs are protected when involved in police enquiry

we have a practice of appropriate adult (AA)

An AA refers to an adult who is independent from the police, not involved in the case,

and will accompany the subject MIP during the investigation

Subject to the current established procedures, the presence of AA is needed in major investigative work

Such practice is also seen in the judicial system of other advanced countries

Who are AAs?

That would be the relative, guardian or other person responsible for care or custody of the MIP

If the above persons cannot be located, then it would be someone who has experience dealing with persons with mental disorder or mental disabilities

But the person can neither be a police officer nor employed by the police

If no such person, then it would be some others who is not a police officer or employed by the police

In what occasions is the presence of an AA required?

These include all police interviews, statement-taking with the MIP during the body search prior to detention after the MIP was brought to the police station

identification parade, when collecting body sample for forensic analysis or in the charging process

All these occasions require an AA to be present

How can the AA help protect the rights of MIPs?

First, to help the MIPs understand their rights

What are the rights that persons in police custody or under enquiry are entitled to?

To seek legal assistance

To tell the relatives they are at a police station

To communicate with a relative or friend

To receive copies of written record of statement

In the case of foreign citizens, to notify the consulate

To be provided with food and water, and medical attention when necessary

To request for release on bail

Don't worry if you cannot remember them all

For we will serve the AP and the AA with a Notice to Persons in Police Custody

It sets out the rights that persons in custody are entitled to

Apart from helping our MIP friends understand their rights

the AA is also expected to provide emotional support to the MIP

When an MIP comes into contact with the police

he probably faces some strangers in an unfamiliar place
feeling worried, nervous, unaccustomed, uncomfortable
If accompanied by a person who is familiar with him
he should be calmer

Next is to give advice to the police concerning the welfare matters of the MIP
Sometimes MIP may not be able to express their needs by themselves
Such as during a prolonged interview
he may need a rest, or some food or water

Another important role of an AA is to observe
whether our interview or investigation procedures are conducted fairly
Is the written record by the police an accurate record of the MIP's statement?
When the MIP says he has already had a meal, is the statement written exactly as
said?

The AA can inform the police of our MIP friends' medical needs
and facilitate the communication between the MIP and the police
One of the purposes of designing the Notice to AA is to respond to the demand of
some interest groups

Some of the organisations concerned and interest groups have raised that
many AAs, including social workers and parents are not clear about their roles and
responsibilities

In this connection, with reference to overseas experience
we consider it is best to inform AAs of their roles and responsibilities in written form
It also serves as prevention measure in case our colleagues' explanation is not clear
enough

It ensures accuracy, consistency, while avoiding deviations or omissions
Not to worry

The Notice only serves to inform the AAs of their roles and responsibilities in a
written form

whilst their present roles remain unchanged

It can also ease the public's concern

Some parents and interest groups doubt why an AA has to countersign the statement
Such act serves two purposes

First, it is to prove the presence of the AA

Indeed, even if the statement-taking involves two officers and a citizen
both officers are required to sign on the statement to prove their presence

Second, the countersignature acknowledges that it is an accurate record of the
questions and answers

For example, if the officer asks the MIP if he has had the meal yet?

and the answer is yes, then this is an accurate record

You may sign in such case

But if the officer writes down he had not eaten, then you should not sign

Please don't worry

The signature does not represent agreement to the authenticity of the statement but only to serve as a proof of consistency of the written record and the subject's statement

What does the Notice to AA look like?

Here it is

The magnified version of the Notice to AA

The first part requires the AA to read this Notice

It also writes that the AA has to read the Notice to Persons in Police Custody

The Notice sets out the rights that the persons in police custody are entitled to

Since the AA is to help our MIP friends understand their rights

we hope that they will read this document in detail

The second part lists out the occasions that needs the presence of AA for assistance

Including interviews, which has been mentioned and I don't repeat

It also lists the roles and responsibilities of AA

Including providing emotional support and helping the MIP understand his rights

This has been mentioned and I don't repeat

Paragraph 5 mentions the implications of the AA countersigning the statement

It is only to confirm the statement is an accurate record of the questions asked and answers given

The AA needs not confirm the authenticity of the statement

Here are things AA should not do

Including providing answers on behalf of the MIP

or interfering with the interview

The last part is some basic information:

the reference no., issuing officer,

date and time of issue, name of the MIP and the AA

The AA will be asked to sign the Notice at the end

Next, I will introduce our second measure – the Care Card Scheme

The Care Card Scheme is also launched in response to the advice from some organisations and parents' groups

They expect the police can, first, identify MIPs as early as possible

Second, to understand their special needs

Third, to reach their relatives or AAs for rendering assistance at the earliest possible

Even though the police officers have received related training

it is still difficult to identify MIP in most of the time
especially within the short moment at the first encounter
It is not easy to identify the MIPs
as some of the MIP friends look not much different from ordinary people
Besides, we would like to know their emergency contact for the sake of contacting them for assistance
So we made reference to similar programmes of the police in South Wales and Lancashire in the UK
The Care Card, like an organ donation card, is for those in need to carry along
The card includes information of the MIP's illness,
special needs and emergency contact
When they are alone, in case of accident, if they have carried the card with them
our officers can become aware of their illness and needs quickly
and inform their relatives for assistance
Unnecessary misunderstandings can be reduced
For instance, when the MIP keeps waving hands whenever he talks
easily become emotional
not being responsive
with poor eye contact
we will realize that these are his characteristics
and misunderstandings can be avoided
The aim of the scheme is to enable the law-enforcement officers
to identify the MIP early and understand their illness
and rapidly be aware of their medical and communication needs
Most important is to know the way to inform their relatives
to offer quicker assistance to them
The characteristics of the Care Card Scheme include:
First, it is a voluntary measure
Second, the card is to be completed by the MIPs and their relatives
They can decide which of the information and to what extent to provide on the Card
Third, no registration or database is involved
The police would not keep the information in the card
The measure focuses on assisting MIPs
It is expected to help officers look for the MIP's family or AA through the Care Card Scheme
to minimize any unnecessary misunderstandings
As you may be aware that some MIPs' characteristics may easily cause misunderstanding

such as exaggerated body gestures, being emotional and avoid poor eye contact during conversation

If we are aware of the characteristics, misunderstandings can be avoided

I would like to stress that this card is not a substitution for the Disability Card which is a verifying document to prove the cardholder is a disabled person while the Care Card is not a proving document

The scheme is designed mainly to help the law-enforcement officers render assistance to MIPs when necessary

The card contains our service target and objective while the scheme purpose can be seen in the inner page

Relevant information is to be filled in the inner page

Cut out the Care Card following the dotted line, fold it and put it in the purse

The law-enforcement officers can find it and offer help when the MIPs are in need

I will now talk about how to fill in the card

Details to be filled include MIP's name, emergency contact and number, illness, such as autism

Behavioural characteristics, such as repeating others' words, no eye contact

Seeing such, the police will not take him as being stealthy or having unlawful intent

The second example is a dementia patient with daily medication need

He gets agitated easily, always confused about his location

The third example is a person with mild mental disability who needs to take anti-psychotic drugs twice a day

He will be nervous if others speak to him loudly

Such information is very important for law-enforcement officers

as they will avoid talking to the subject in a loud voice seeing the notes

This can reduce unnecessary misunderstandings and ease the MIP's anxiety

The Care Card is available at police stations,

integrated family services centers,

medical social services units,

or relevant social organisations and MIP parents' groups

To assist frontline officers in identifying MIPs more effectively,

the police have invited professional psychiatrists and psychologists to devise an indicators guide for MIPs

The guide lists out some of the common characteristics of MIPs

to assist officers to identify MIPs as early as possible to reduce misunderstandings

The guide also provides useful advice on how to communicate with MIPs

so that suitable actions can be taken to help them at the earliest possible

The guide mainly identifies MIP in three aspects

First, his personal circumstance

Including place of education. Is he at special school?

Nature of residence. Is he living at care home or working at a sheltered workshop?

Is he carrying any Disability Card or related medicine?

Second is about his behaviours

Does he look lost or confused?

Such as confused about time, place and identity? Any delusion?

A lack of eye contact during communication?

Any age-inappropriate behaviours?

Such as appearing to be childish, over affectionate or withdrawn?

Any socially inappropriate behaviours like inappropriate laughter, odd hand gestures, or talk with others at a very short distance, or avoid eye contact?

The third is about conversation

Does he speak in a disorganised manner?

Or being non-responsive, or only giving brief answers?

Does he always repeat others' words like parrots talk?

Is his conversation incoherent and jumps from one topic to another?

Each MIP may present with very different characteristics

We will remind our colleagues about this

We hope that by referring to these 3 domains of indicators

our colleagues can identify MIP in a systematic way

The guide also includes some useful advice on communication with MIPs

such as respect the subject, reduce his stress and anxiety,

patiently wait for his answers, use simple words,

clarify his meaning when necessary,

address his physical needs, like using the washroom and drinking, etc.

avoid treating the subject as child,

or making him feel disturbed,

talking in a loud voice, using complicated words,

pushing for an answer

The advice and behavioural indicators aim at helping frontline officers identify MIPs at the earliest possible,

improve the communication with them and ease their anxiety

The Force has produced specific training day package regarding the 3 new measures and provide thematic training to the officers on training days

From late August onwards, all regular, auxiliary and civilian members were covered while the new package will be rolled out in late November after the training days are

completed

Apart from promoting the new package to organisations serving MIPs and parents' groups

we also make all officers aware and follow the new guidelines through internal training and promotions

We have launched a dedicated webpage in the Police Public Page regarding the new package

hoping to inform the public through the fastest and most convenient means

Besides the information of the 3 measures

there is also a video and Q&A session for the public's reference

The Force has consulted professionals of various fields when designing the training day package

Including doctors, social workers, nurses specialised in taking care of MIPs, etc.

In the training package, the professionals will talk about some common syndromes of MIPs and effective ways to communicate with them

There is also a case sharing from the police

Some autistic patients may appear to be anxious when facing police or law-enforcement officers

while some are particularly fond of people in uniform

Some show no fear of police, and even go touch their guns or other equipment and cause misunderstandings

Autistic patients are weak in controlling their emotions

When they become emotional, you may consider taking a step back

leave him room to calm down before asking questions

Like saying "May I ask one more question?"

"May I come closer for a chat?"

Keep a distance with him first

If he refuses or has no response after you have asked for many times

you should not take it as some kind of answers, but a sign of resistance

When we communicate with persons with mental disorder

we have to ask if we are ready

Watch the tone and body language like facial expressions and gestures to avoid making them feel belittled or irritated

If they are sensitive and emotional, calm them down first

Try to communicate with your friendliness and kindness so that they are willing to cooperate

Do remember that their mental abilities and emotions are driven by their illness which affects their communication ability

We have to offer more patience and room
for them to have chance to express their thoughts and feelings
We have to listen, and avoid arguing with them on whether what they see or hear is
delusion or not
We may ask open questions, like telling them:
Can you tell me more of what you think? And?
Whom do you wish us to contact to help you?
Like ordinary people, patients with mental disorder are diversified in their characters
and behaviours
We should remain flexible when communicating with them
In 2015, we took over a loitering case
A 9-year-old child was hugged by a man behind him in the lift while he was on his
way to tutorial center
The man was later known to be MIP
Subsequently we approached his family to get more information
We knew from his mother that
the mental intelligence level of the 19-year-old subject might be just as an 8- or
9-year-old
With the consent of his mother, we found his class teacher in his old school
and invited her to assist in our enquires
Fortunately, the teacher was very cooperative and forthcoming
She came to the police station swiftly
and confirmed that the subject's intellectual ability was only at 8 to 9
When he saw a child of a similar age in the lift
his move was only to show he wanted to make friends with him
From this case, we often regard parents or family members as AA, as what we've
learnt
But I think that indeed anyone who can support the arrestee or MIP, put them at
ease,
and make them tell their thoughts is an AA
No matter how to start an investigation, the goal is to solve the case
Sometimes, we don't know if it works before we act
but if we act and it works, then we can convince our colleagues to follow the good
practice
We can first think if such step helps
Sometimes we may feel unnecessary or a waste of time
but it is worth taking one more step, do a little more if it brings a satisfactory result
MIPs are persons with mental or intellectual disabilities

In case of arrest or criminal investigation
the stress and difficulties they experience are often higher than ordinary people
So if we can take one more step
be more patient and empathetic in dealing with them
not only can our job be facilitated
but also the MIPs can be properly treated
achieving a win-win situation
Through this training, we hope to enhance the capabilities, skills and professional
sensitivity of the officers,
change their attitudes so that they and MIPs can show mutual respect,
and the officers can better understand the needs of MIPs
The new package is the first step taken by the police in enhancing our service for the
MIP community
Through continuous review and cooperation with different professional sectors,
e.g., experts in the field, parents' groups, NGOs,
we will continue to strengthen our service for the MIP community