

**124th MEETING OF  
THE INDEPENDENT POLICE COMPLAINTS COUNCIL (IPCC) MEETING WITH  
THE COMPLAINTS & INTERNAL INVESTIGATIONS BRANCH (C&IIB) HELD  
AT THE IPCC SECRETARIAT OFFICE  
AT 1553 HOURS ON THURSDAY 9 NOVEMBER 2006**

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Present: Mr Ronny WONG Fook-hum, SC, JP (Chairman)  
Hon Alan LEONG Kah-kit, SC (Vice-chairman)  
Ir Edgar KWAN  
Mr Daniel CHAM Ka-hung, MH, JP  
Dr Charles KOO Ming-yan, MH  
Mr Edward PONG Chong, BBS, JP  
Mr HUI Yung-chung, BBS, JP  
Prof Benjamin TSOU Ka-yin, BBS  
Dr Michael TSUI Fuk-sun  
Ms Priscilla WONG Pui-sze, JP  
Mrs Helena YUEN CHAN Suk-yee  
Mrs Brenda FUNG YUE Mui-fun, Secy IPCC  
Ms Angela HO, SGC IPCC  
Mr Brandon CHAU, Deputy Secy IPCC (Joint Secretary)  
Mr Michael B. DOWIE, DMS  
Mr Charles WONG Doon-yee, ACP SQ  
Mr Alan FAN Sik-ming, CSP C&IIB  
Mr J.P. RIBEIRO, SSP CAPO  
Mr Oscar KWOK Yam-shu, SP CAPO HQ (Joint Secretary)

In Attendance: Mr Eddie WONG, SAS (PS)  
Mr Henry CHAN, SAS (1)  
Ms Fiona LI, SAS (2)  
Mr Bernard KAN, SAS (3)  
Miss Mary KWOK, AS (PS) 1  
Mr David LEE Woon-luen, SP CAPO HKI  
Mr Tony SIU Kit-hung, SP CAPO K  
Mr CHEUNG Kin-kwong, SP CAPO NT  
Mr Eddy TONG Chi-chung, CIP CAPO HQ  
Mr WONG Tsan-tim, CIP Team 7 CAPO HKI  
Mr WONG Kwok-kit, CIP Team 1 CAPO K  
Ms Rene LAM Suk-man, SIP A&S C&IIB  
Ms Mandy CHIANG Lai-shan, SIP IPCC C&IIB  
Mr Damon AU Wing-leung, SIP SUP CAPO  
Mr Kenneth LAM Chi-ping, SIP Team 4b CAPO K

Absent with Hon Daniel LAM Wai-keung, SBS, JP (Vice-chairman)  
Apologies: Dr Hon LUI Ming-wah, SBS, JP (Vice-chairman)  
Mr YEUNG Yiu-chung, BBS, JP

Dr LO Wing-lok, JP  
Dr SHUM Ping-shiu, BBS, JP  
Prof Daniel SHEK Tan-lei, BBS, JP  
Dr TSE Tak-fu, BBS  
Mr Frederick TONG Kin-sang, Assistant Ombudsman

## **PART A: CLOSED MEETING**

This was the Closed Part of the meeting for the IPCC and representatives of C&IIB to discuss matters of mutual concern. The minutes of the meeting will not be uploaded onto the IPCC Homepage.

## **PART B OPEN MEETING**

### **OPENING ADDRESS**

The Chairman welcomed all to the meeting.

### **I CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2006 (Open Part)**

2. The minutes of the last meeting (Open Part) were confirmed without amendment.

### **II CAPO'S CRIMINAL AND DISCIPLINARY CHECKLIST**

3. CSP C&IIB tabled the checklist and highlighted that there were certain cases involving omissions and mistakes made in the handling of properties seized by officers. For example, in one case, the officer failed to return the case exhibit to the complainant as soon as possible after the final determination of his appeal which was contrary to the Force Procedures Manual. In light of such omissions and mistakes, CAPO would highlight the issue in the CAPO monthly report on matters of interest and in the 'Tips for Smart Cops' to remind frontline officers of the need to follow the Force Procedures Manual. The issue would also be referred to the Complaints Prevention Committee to follow up.

4. Members had no comments on the checklist.

### III

### CAPO'S MONTHLY STATISTICS

5. CSP C&IIB briefed the meeting on the complaints statistics. 242 complaints were received in September 2006. It represented a decrease of 5.8% (-15 cases) when compared with the statistics of the previous month. The figure for August 2006 was 257 cases.

6. The number of 'Neglect of Duty' complaints received in September 2006 was 88 cases. It represented a decrease of 18.5% (-20 cases) when compared with the statistics of the previous month. The figure for August 2006 was 108 cases.

7. The number of 'Misconduct/Improper Manner & Offensive Language' complaints received in September 2006 was 70 cases. It represented a decrease of 4.1% (-3 cases) when compared with the statistics of the previous month. The figure for August 2006 was 73 cases.

8. The number of 'Assault' complaints received in September 2006 was 51 cases. It represented a decrease of 3.8% (-2 cases) when compared with the statistics of the previous month. The figure for August 2006 was 53 cases.

9. In the first nine months of 2006, a total of 1,859 complaints were received. It represented a decrease of 10.8% (-225 cases) when compared with 2,084 cases of the same period in 2005.

10. The total number of 'Neglect of Duty' complaints received in the first nine months of 2006 was 688 cases. It represented a decrease of 8.3% (-62 cases) when compared with 750 cases of the same period in 2005.

11. The total number of 'Misconduct/Improper Manner & Offensive Language' complaints received in the first nine months of 2006 was 529 cases. It represented a decrease of 18.6% (-121 cases) when compared with 650 cases of the same period in 2005.

12. The total number of 'Assault' complaints received in the first nine months of 2006 was 419 cases. It represented an increase of 5.8% (+23 cases) when compared with 396 cases of the same period in 2005.

13. The overall complaint figures for the first nine months of 2006 had remained steady and when compared with the figures of the same period in 2005, it was more or less the same.

14. The Chairman raised several items that he would like to discuss with CAPO. First of all, he highlighted the figures concerning the complaints reported to CAPO in person as recorded in page 4 of the statistics report. He noticed that there were 14 cases of this kind in September 2006 and the annual total in 2005 was 314 cases as opposed to the cumulative total of 158 cases in 2006. There seemed a drastic drop in the figures and he invited CAPO to comment.

15. CSP C&IIB replied that the figure of 2005 reflected the annual figure while the figure of 2006 only reflected the cumulative total up to September. There was some decrease in figure via such method of complaint, but at the same time there was some increase in figures via other methods of complaints such as by letters, e-mails or at court so that complainants were no longer required to report to CAPO in person.

16. Ir Edgar KWAN asked if the decrease was due to the closure of several CAPO regional offices, leaving only one CAPO Report Centre which affected the number of cases reported to CAPO in person.

17. CSP C&IIB replied that the amalgamation of the three CAPO Reporting Centres actually took place in March 2005. When comparing the 31 cases reported to CAPO in person in September 2005 with that of 14 cases in September 2006, the situation remained unchanged. He believed that the decrease was unrelated to the amalgamation of the CAPO regional offices but because complainants were more aware of other channels which they could lodge their complaints, such as by e-mails, telephones and letters, and they could also lodge their complaints at any police station. He believed that the drop in complaints made to CAPO in person should be due to the availability of more channels to lodge complaints, instead of having only one CAPO Reporting Centre.

18. The Chairman drew the meeting's attention to page 6 of the statistical report (Number of Complaint Cases Received and Outstanding in CAPO as at 2006-09-30) and pointed out that there were 116 cases remaining outstanding in May 2006 and the figure reached 242 cases in September 2006 but there was none in October 2006. He asked CAPO

to explain why there were so many cases from May to September 2006 but it went down to none in October 2006.

19. CSP C&IIB responded by saying that the statistical report only covered figures up to September 2006 because the date of the meeting on this occasion was earlier than usual, and therefore the figures of October 2006 were not yet available.

20. The Chairman raised a further query on the figures on page 7 of the statistical report (Progress of Investigation, Endorsement and Query of Complaint Cases in September 2006). He pointed out that the total number of cases being handled in the IPCC in September 2006 was 699 but the total number of cases currently outstanding at the IPCC was 486. He asked why there was such a discrepancy.

21. CSP C&IIB replied that the Secretariat might be able to answer this question.

22. The Secy/IPCC replied that she believed the figure on the total number of cases being handled in the IPCC in September 2006 which was 699 and the figure on the total number of cases currently outstanding at IPCC which was 486 were drawn from two different sources. The former figure might be those cases that had been submitted to the IPCC. The latter figure could be those cases that the Secretariat had raised queries but had not been answered by CAPO and were therefore kept in the IPCC.

23. The Chairman queried if there was a consensus between the Secretariat and CAPO on the number of cases being handled and the number of cases currently outstanding.

24. CSP C&IIB suggested that owing to the fact that the figures should have been verified by the statisticians of both CAPO and the Secretariat, further study would be conducted to see how the figures could be better presented to let the Council know clearly what the figures represent. CAPO would follow up the matter with the Secretariat after the meeting.

**IV                    DATES OF IPCC MEETINGS FOR 2007**

25.            The Chairman invited CAPO to comment on the dates of the Joint IPCC/CAPO Meetings for 2007 and CSP C&IIB replied that CAPO had no comment on this.

**V                    ANY OTHER BUSINESS & CONCLUSION OF THE MEETING**

26.            The Chairman noted that it was the last day of police service before ACP SQ proceeded on retirement. The Chairman placed on record the Council's appreciation of his support and assistance rendered to the Council and wished him many happy years of retirement.

27.            There being no other business, the meeting concluded at 1630 hours. The next meeting will be held on 1 February 2007.

( Oscar KWOK )  
Joint Secretary  
Complaints and Internal  
Investigations Branch

( Brandon CHAU )  
Joint Secretary  
Independent Police  
Complaints Council