

**Meeting of the Independent Police Complaints Council (IPCC)
with the Complaints & Internal Investigations Branch (C&IIB) held at
the IPCC Secretariat Office at 1545 hours on Thursday, 4 March 2010**

Present : Mr JAT Sew-Tong, SC (Chairman)
Dr Hon Joseph LEE Kok-long, SBS, JP (Vice-chairman)
Dr TSE Tak-fu, BBS, JP
Ms Priscilla WONG Pui-sze, JP
Dr Helena YUEN CHAN Suk-yee
Dr Lawrence LAM Chi-kit, MH
Ms Carmen CHAN Ka-mun, JP
Mr Eric CHEUNG Tat-ming
Professor Stephen CHEUNG Yan-leung, BBS, JP
Ms Christine FANG Meng-sang, BBS, JP
Dr CHAN Pui-kwong
Mr Albert Jinghan CHENG, JP
Mr Brandon CHAU, DSG IPCC (Joint Secretary)
Mr TANG How-kong, DMS (Des.)
Mr WONG Fook-chuen, ACP SQ
Mr Alan FAN Sik-ming, CSP C&IIB
Mr Duncan McCosh CSP C&IIB(Des.)
Mr Michael Demaid-Groves CSP Traffic
Ms NG Ho-chun SSP ADM Traffic
Mr CHUNG Siu-yeung, SSP CAPO
Mr SIU Kit-hung, SP CAPO HQ (Joint Secretary)

In Attendance : Mrs Philomena LEUNG, SG
Ms Cherry CHAN, LA
Mr Eddie WONG, SM(P&CS)
Mr Milton YEUNG, SVO(1)
Ms Fiona LI, SVO(2)
Mr Bernard KAN, SVO(3)
Mr Alex CHAING, SVO(4)
Ms Celia Lee, M(P&CS)1
Mr MA Hok-hon, CIP CAPO HQs
WSIP SZE Yuk-sim, SIP IPCC C&IIB
SOO Wan-lok, SIP SUP CAPO
CHAN Tat-ming, CIP Team 5 CAPO HKI
CHAN Hon-ming, CIP Team 6 CAPO HKI
MAK Wing-yip, CIP Team 9 CAPO NT

whether police would pass the draft 'Public Order Manual' (POM) to the Council for comments.

6. CSP C&IIB briefed the meeting that the request was made by an IPCC Member during the last Joint Meeting. However, the police considered that it was not feasible to provide the draft POM to the Council for comments. CAPO would however forward the views of IPCC members to the relevant policy wing for their consideration.

III

POLICE CLOSED-CIRCUIT TELEVISION RECORDINGS

7. The Chairman briefed the meeting that the Council noted in the recent two years, there were 11 cases in which police, due to various reasons, was unable to retrieve the police closed-circuit television (CCTV) recordings to assist in complaint investigations. All the cases were related to the malfunction of the CCTV recording system in report rooms. He invited CAPO to brief the meeting on the measures taken/to be taken to ensure the normal functioning of the CCTV recordings of report rooms or other police premises and retention of the same for complaint investigations.

8. CSP C&IIB told the meeting that police had received 154 and 249 complaint cases involving report rooms in 2008 and 2009 respectively. CAPO had examined all the 11 cases raised by the Council. Out of the 11 cases, ten cases had been endorsed by the Council. The unavailability of the relevant recordings was due to the breakdown of the Digital Video Recorder (DVR), which resulted in the digital images from the CCTV cameras not being captured in the hard disc and backup system. The remaining case was still under investigation. There was no indication to suggest any malpractice during the complaint investigation of the ten endorsed cases. The malfunction reports of the CCTV recording system of report rooms had been an issue since 2008. Due to the breakdown of the system, CAPO was unable to retrieve the relevant recordings for complaint investigation purpose.

9. CSP C&IIB continued to brief the meeting that the Digital Picture Recording System (DPRS) had commenced operation in 57 police stations since 2001. Digital images from the CCTV cameras covering different locations of a police station were stored in DVR and subsequently onto backup tapes. However, owing to wear and tear, many of the DVRs and cameras had approached the end of their normal service life and some spare parts were no longer available. As such, the Force, together with the Electrical and Mechanical Services Department (EMSD) had liaised with the contractor with a view to upgrading and enhancing the system.

10. CSP C&IIB further said that the replacement exercise had begun in April 2009 and so far, the upgrading was completed in 55 out of the 57

police stations. It was expected that the exercise would be completed in April 2010. Upon completion of the replacement exercise, the EMSD would conduct a user acceptance test on the new system. CAPO believed that by then all CCTV recording units would function properly. He reiterated that the Force had taken appropriate measures to address the malfunctioning of the old system. In respect of complaint investigation, CAPO would continue to work in collaboration with the relevant policy wing in monitoring the performance of the enhanced system and evaluate the relative policies, practices and procedures.

11. Mr Albert CHENG commented that the Force had only focused on the hardware of the system but not on the procedural guidelines in operating the system. He opined that the system should not be an issue in question as there were only few complaints of this nature. However, he noted that in some cases, the breakdown of the system did not come to anybody's attention and no specific person was required to check the functioning of the system during the daily change of backup tape. He added that it was the lack of an established procedure which caused the Council's concern.

12. CSP C&IIB told the meeting that CAPO had considered the issue and the enhanced system would not require any manual backup on tapes as the images captured by the CCTV cameras would be automatically stored in the hard disc of the DVR. The enhanced system also features an alarm indicator which would raise alert over any system malfunction. It is anticipated that the enhanced system would minimize human error in the operation of image backup.

13. The Chairman asked about the retention period of the captured video under the new DVR.

14. CSP C&IIB replied that according to CAPO's interpretation, the new DVR would be able to retain images for up to 30 days, depending on the number and resolution of the CCTV cameras.

15. The Chairman expressed concern over the relatively short retention period of the DVR images and it was quite common that a complaint investigator would retrieve the footage 30 days after the incident.

16. CSP C&IIB told the meeting that the Force had taken reasonable steps to enhance the DVR system but it was difficult to decide a so-called "adequate" retention period. The Complaints Manual actually requires the officer-in-charge of the complaint investigation, upon the receipt of a complaint which allegedly took place in a report room, to immediately inform the relevant unit to retain the recordings. CAPO considered that the existing procedures in the Complaints Manual effective.

17. Mr Albert CHENG asked whether police had adopted any

transition measures for CCTV recording and backup between the present moment and the completion of the enhancement exercise. He also urged police to consider extending the retention period of DVR images given that a complaint might be lodged after a lapse of 30 days and the cost of extra memory space was relatively low when compared to the past.

18. The Chairman suggested police to consider offsite data storage after the lapse of 30 days so that the image could still be retrieved for investigation purpose at a later time.

19. CSP C&IIB told the meeting that 55 out of the 57 police stations had been installed with the new DVRs and the new system was in operation. The 30-day retention period has been used in the past and it was considered appropriate under the data privacy principles that any information should not be kept longer than necessary.

20. Mr Albert CHENG requested the police to disclose the details of the two police stations that had yet to be installed with the enhanced DVR so that members of the general public would not make a report there. He suggested that internal guidelines should be established for the two police stations to check the functioning of CCTV recording and report any malfunction. He opined that the DVR images should be retained for more than 30 days.

21. CSP C&IIB clarified that the remaining two police stations were equipped with the old CCTV recording system and the operation was governed by existing procedures. He emphasized that there was CCTV recording in these two police stations. With regard to the video retention period, CAPO would consolidate the views of the IPCC members and forward the same to the relevant policy wing for further consideration.

22. Mr Albert CHENG reiterated that police should issue a detailed procedure for the enhanced system to ensure its smooth running.

23. CSP C&IIB briefed the meeting that each Formation Commander should issue specific instructions to the staff of the police stations under his / her command ensuring the smooth operation of the CCTV recording system. He added that the relevant policy wing would issue a detailed operating procedural guideline for the enhanced CCTV recording system upon the successful completion of the upgrading exercise and the user acceptance test by EMSD.

24. The Chairman expressed that the Council would like to see the new guideline when available.

25. Professor Stephen CHEUNG told the meeting that in some cases, the CCTV footage failed to capture the incident which happened to have

occurred at 'blind spots'. He asked whether the new DVR system would be able to cover blind spots and whether the complainants should be told that the CCTV recordings would only be kept for up to 30 days.

26. CSP C&IIB clarified that the CCTV recording system installed inside police premises was intended for the purpose of station security and therefore, the locations and resolutions of the cameras were hinged on this purpose. He added that there would be substantial resource implication for the CCTV cameras to cover each and every location. With regard to the video retention period, CAPO would consult the relevant policy wing before reverting to the Council.

27. The Chairman expressed that the video captured by the CCTV recording system would be a useful tool in complaint investigation. While a complainant may lodge a complaint within two years of the occurring incident, there is a need for police to inform the complainant that the digital CCTV images of the report room or any other places inside a police premises would only be kept for up to 30 days so that they may consider to lodge the complaints within 30 days. This would safeguard the interests of both CAPO and members of the public if a complaint could be lodged within 30 days. He appreciated that the police might have other considerations before rendering a reply to the Council. He further asked whether there was any audio recording in the enhanced CCTV recording system.

28. CSP C&IIB confirmed the new system did not support audio recording.

29. Mr Eric CHEUNG commented that the availability of the CCTV coverage in police premises would help reduce the number of complaints and facilitate complaint investigation. He opined that the Force should extend the purpose of CCTV recording system to reduce the number of complaints and facilitate complaint investigations. He urged the Force to devise a more reasonable period for CCTV video retention by consulting the Privacy Commissioner for Personal Data on the matter. If the Force decides to retain the images for two years, it would then be unnecessary to inform the complainants of the retention period. He opined that by setting the retention period shorter than two years, it would deprive the right of the public to lodge complaints within two years as stipulated by the IPCC Ordinance.

30. Mr Eric CHEUNG further suggested that the Force should issue a standard guideline requiring a designated police officer to physically check the CCTV recording system, record the result in a logbook, report any malfunction and arrange repair / maintenance on the same day. He also commented that the CCTV footage on report room is a useful piece of evidence which helps the Council ascertain the truthfulness of the version of both the complainant and complaine. He further suggested to increase

CCTV coverage in police stations so as to reduce the time and manpower of CAPO in conducting investigations into complaints. He also quoted that the unavailability of CCTV footage in some cases was due to human negligence and insufficient video retention period. He requested the police to consider lengthening the retention period to two years so as to avoid human negligence.

31. The Chairman supplemented by quoting a case in 2009 where officers in the police station did not know how to retrieve the relevant footages for CAPO investigation and the stored data was subsequently overwritten on expiry of the retention period. He expressed concern how internal guidelines would be drawn up for an established mechanism to ensure the hard disc was operational and any defect was repaired as soon as possible so that data could be preserved. He said that the Council would be interested to follow up the matter in particular the relevant internal guidelines at the completion of the system enhancement.

32. CSP C&IIB explained that the CCTV recording system in the quoted case was of the old type which had only a very small hard disc and mainly relied on backup tapes. It was for that reason the old system was to be replaced with the enhanced system which was able to retain the image in the hard disc up to 30 days.

33. The Chairman pointed out that human errors might be reduced with the new system but there would still be unavailability of CCTV recordings if officers did not know how to retrieve the relevant footages and stored data would be overwritten at the expiry of 30 days. He emphasized the importance of reliable procedures to ensure that the same human error was not repeated.

34. CSP C&IIB assured the meeting that comprehensive guidelines would be in place after the system upgrade had been completed. In response to Mr Eric CHEUNG's suggestion to extend video recording as an accoutrement item for daily police work or as a means of complaint prevention, CSP C&IIB said that video recording was generally used in police work, such as taking interviews in crime investigation and collecting evidence in public order events. However, it would be a controversial issue to apply video recording in general police work. He noted that there had been trials of various means to video-record daily police work by overseas law enforcement agencies to assist in policing or to protect civilian rights, but full implementation was not seen in any jurisdictions. He doubted if this should be applied in Hong Kong where the majority of police officers were performing visible foot patrol.

35. Mr Eric CHEUNG clarified that CCTV coverage should be extended to all locations in police stations where there was frequent public contact. He reiterated that police should consider extending the video

retention period to two years if technology and resources allowed.

36. CSP C&IIB expressed his doubt on the appropriateness to video-record the whole shift of a police officer's duty in the report room taking into consideration the concern for human rights especially when the majority of the visitors to a police station did not intend to be involved in complaint investigations. Nevertheless, CAPO would forward the Members' comment on the matter to the relevant policy wing for consideration.

37. Dr CHAN Pui-kong asked if the CCTV recording system required manual operation and was under a 24 hour operation.

38. CSP C&IIB replied that the enhanced system would not require any manual operation and it would work round the clock.

39. Mr Albert CHENG remarked that the procedural guidelines for ensuring the normal operation of the CCTV recording system should be issued in the form of Headquarters Orders which would require a designated officer in the Formation to ensure the proper functioning of the system. Formation Commanders may issue additional guidelines to supplement its operation.

40. The Chairman reiterated that such procedural guidelines should aim to ensure video recordings would be available for complaint investigation when required and that the Council would follow up the issue in due course.

IV COMPLAINT TREND ANALYSIS 2009

41. CSP C&IIB presented the complaint trend analysis and reported the following:

- In 2009, a total of 4,257 complaint cases were received, representing an increase of 1,585 cases or 59.3% when compared with 2,672 cases in 2008.
- Minor complaints accounted for 79.7%. Among the 1,585 increased cases, 'Neglect of Duty' accounted for 950 cases, followed by Misconduct/Improper Manner and Offensive Language. These two categories totalling 523 cases had contributed to 93% of the increase.
- 'Failing to investigate case properly/thoroughly' was the most prevalent allegation accounting for 1,305 cases or 61.8% in 'Neglect of Duty' while 'Impoliteness' which accounted for 672 cases was the major allegation in 'Misconduct/Improper Manner' (i.e. 57%).
- Serious complaints had risen from 748 in 2008 to 857 in 2009, representing a 14.6% increase. 'Assault' registered a moderate increase of 14% and 'Fabrication of Evidence' noted a drop of 11.6%.

- The number of serious complaints had dropped from 1,112 or 34.5% of total in 2004 to 857 or 20% of total in 2009.
- In 2009, 'Neglect of Duty' arose primarily from 'Crime Report', followed by 'Miscellaneous Report' and 'Traffic Matter'. These three categories made up over 87% of the allegation as compared to 82.5% in 2008.
- In 2009, 40% of 'Misconduct' and 'Offensive Language' allegations arose out of 'Traffic Matter', followed by 'Crime Report' and 'Stop and Search/ID Checks'. These three types accounted for over 86% of the source of the allegation, which was very close to 2008 figures.
- As for enforcement figures, the total number of reports received by police noted a mild increase of 0.8%. Traffic enforcement remained at a steady level while the number of crime arrest dropped by 1.2%. The consistent enforcement figures in the last two years suggest that the significant increase in complaints was not caused by increased police enforcement actions.
- The number of crimes reported had mildly dropped by 1.1% while number of violent crimes reported also saw a decrease of 1.6%. The overall crime rate per 100,000 populations had also decreased by 1.5% from 1,167 to 1,108. The detection rate of 2009 remained the same as 2008 at 45.6%.
- Based on the monthly complaints figure of 2008 and 2009, it is believed that the implementation of the IPCC Ordinance had heightened the public awareness and confidence of the complaints handling mechanism.
- While minor complaints accounted for 79.7% of the total complaints, serious complaints remained the third lowest in the past six years. 93% of the additional cases are minor complaints. 87% of 'Neglect of Duty' allegations related to 'Crime Report', 'Miscellaneous Report' and 'Traffic Matter'. 'Failing to investigate Case properly/thoroughly' was the most prevalent reason for 'Neglect of Duty' allegations and accounted for 62%.
- It appeared that a gap existed between the outcome of police actions and the public expectation. 86% of 'Misconduct and Offensive Language' complaints originated from 'Traffic Matter', 'Crime Report' and 'Stop and Search/ID Checks'. The complaint figures, compared to Police enforcement activities, remained very low.
- The sharp increase could not be explained by changes in enforcement activities. While there was no obvious drop in police services, the sharp increase in minor complaints suggested that the public held high expectations on the Police.
- The significant increase in complaints was primarily contributed by the public's awareness and confidence in the complaints handling mechanism since 2009.
- The way forward was to reinforce complaint prevention efforts at all levels in the Force. Complaint Prevention Committees were formed at Major Formation or Formation level. To improve service quality, the professional sensitivity of frontline officers would be enhanced.

Officers would be reminded to make more explanation of police actions to the public. Through various channels, the public awareness of police duties and constraints/limitations would be promoted.

42. The Chairman commented that the upsurge of complaints, be it mostly minor, had incurred deployment of resources to deal with the issue. He asked if the Force had plans to increase resources in this respect. He noted that “heavy workload” had been the reason for not being able to complete the investigation as quoted in some interim investigation reports. He understood that the increased caseload had pressurised both CAPO and the IPCC Secretariat. As a result, complaints investigators and vetting officers are unable to investigate and handle complaints in a timely manner. He noted the negative effect on complainees brought about by the long waiting time leading to the findings of complaint investigation. To maintain an efficient and fair complaint investigation, measures have to be formulated to improve the situation. Nevertheless, the investigative procedures must be thorough and fair to both parties so as to instil confidence in the complaints mechanism, improve service quality and reduce abuse of the complaints mechanism. He further suggested that unreasonable complaints should be filtered out and complainees of such complaints be given clarifications if there was no fault on their part. Such act would enhance confidence of police officers in the complaints mechanism and prevent unnecessary complaints. He told the meeting that this would be a common goal for both CAPO and the Council.

43. Ms Christine FANG noted a big upsurge of complaints in two months of 2009 and asked if this was aligned with the implementation of the IPCC Ordinance. She also inquired whether there had been any change in the conducting of ‘stop and search’ actions and the ratios of the ‘False’ and ‘Unsubstantiated’ classifications in 2009 compared to the previous year.

44. CSP C&IIB responded to the Chairman’s comments and said that the Force had closely monitored the rise of complaints and critically examined the need to increase manpower resources. In 2009, the achievement rate of the performance pledge to complete the investigation of non-Sub-Judice complaints within four months was approximately 90%. To maintain the standard of service to the public, the Force would keep monitoring the situation and suitably increase manpower if necessary. In response to Ms Christine FANG’s queries, CSP C&IIB said that the reason for the large number of complaints received in June and September 2009 could not be ascertained but it was believed that the implementation of the IPCC Ordinance had heightened public awareness of, and confidence in the complaints handling mechanism in the second half of 2009. As there were no significant changes in the number of ‘stop and search’ actions in 2009, such actions were not considered to be a contributing factor to the rise in complaints. He told the meeting that CAPO was still working on the statistics with the Secretariat and the figures for classifications were not yet

available.

45. Mr Eric CHEUNG quoted press coverage over one Formation's special instructions to perform a certain level of 'stop and search' actions and asked whether the Force has issued any guidelines to forbid a Formation setting its own target on the number of 'stop and search' to be conducted by its officers. He asked whether the Force has considered any measures to cope with the rising trend of the complaint figures and stated that it might be a good opportunity for IPCC to ask for additional resources.

46. CSP C&IIB clarified that the incident reported on the press was unfounded and stated that it was operationally impracticable to set a quota for any enforcement action like 'stop and search' as situations might vary under different circumstances. He reiterated that the Force is dedicated to provide quality service to the general public and officers would not be encouraged to work under a quota system.

47. Mr Eric CHEUNG commented that all 'stop and search' should be conducted lawfully and reasonably. He requested the Force to remind Formation Commanders in writing that setting quotas on any particular enforcement action is inappropriate.

48. The Chairman told the meeting that the issue of 'stop and search' could be tabled as an agenda item in the next joint meeting for further discussion if so required.

49. CSP C&IIB agreed that any 'stop and search' should be conducted lawfully. He told the meeting that there was no existing order or instruction on the conducting of a 'stop and search'.

50. Dr Hon Joseph LEE briefed the meeting that he would report in the next LegCo Meeting that both IPCC and the Force would require additional resources to deal with the large number of complaints. He opined that the increase in the number of complaints might not only be attributed to the implementation of IPCCO. He urged the Force to examine the substantiation figure. He suggested the Force to compare the substantiation rate / figure of minor complaints reported before and after June 2009. He further opined that it would be a good opportunity for IPCC and the Force to state clearly to the general public that the role of IPCC is not to encourage complaints against police but rather to monitor the complaint investigations by CAPO.

51. The Chairman supplemented that IPCC would place more effort in educating members of the public as to the criteria and circumstances to lodge a complaint. In addition, IPCC will work closely with the Force on complaint prevention with particular focus on areas which would easily attract complaints. He emphasized that public education is of paramount

importance.

52. CSP C&IIB agreed that public education was extremely important and expressed that CAPO would cooperate fully with IPCC in complaints prevention. He further told the meeting that CAPO would conduct a more detailed analysis with the IPCC Secretariat on the substantiation rate for cases reported in the first half and second half of 2009.

53. Mr Albert CHENG stated that based on his previous two months experience in IPCC, the 'Substantiated' rate is less than 10%. He briefed the meeting that this figure could be interpreted as "90% of the complainants had abused the complaints system" or "the complaints reporting mechanism is useless because of its low substantiated rate". He suggested to introduce another classification 'Abuse' to address the high abuse rate. He further requested police to provide a more detailed breakdown in the future complaint trend analysis.

54. The Chairman echoed the need of a more detailed breakdown in future complaints trend analysis.

55. Mr Albert CHENG supplemented that members of the public should be educated not to treat complaints as a tool to express their grievances on some minor matters. It is quite common that a person being ticketed for traffic contravention would lodge a complaint against the police officer taking the enforcement action. In some other cases involving two opposite parties, a complaint would result no matter which side the police officer decided to take enforcement action. He opined that the whole complaints handling mechanism would be compromised if complainants abused the system.

56. Ms Christine FANG suggested that more Informal Resolution (IR) should be used to resolve minor complaints and the IR provisions should be tabled for discussion in the next joint meeting.

57. The Chairman told the meeting that a working group had been formed to review the handling protocols for minor complaints including the IR procedures and promote its use. He noted that confrontation with the public was inevitable due to the nature of the police work. Nevertheless, IPCC would put its effort towards minimising the confrontational situations and reduce the number of complaints. IPCC do not wish to see an increase in the substantiated rate but rather an improvement in the service quality of the Police.

58. CSP C&IIB stated that CAPO welcomed all measures to streamline the handling of minor complaints. He told the meeting that the existing computer system which used to keep the complaints statistics was outdated and the Force would examine the possibility of upgrading the

computer system when resources are available.

59. Ms Carmen CHAN asked if CAPO would record all the complaints from a complainant who made different reports on the same incident.

60. CSP C&IIB replied that a complaint would be recorded by the incident. That said, one incident which had attracted different complainants would be regarded as one complaint. Likewise, if a complainant makes a complaint on ten different incidents, ten complaints would be separately registered.

61. Ms Carmen CHAN asked if the rise in the complaint figures of 2009 was contributed by habitual complainants who lodged a lot of complaints.

62. CSP C&IIB replied that the rise was not contributed by habitual complainants.

63. Dr Lawrence LAM asked how CAPO would handle and count the complaints lodged by mentally deranged persons as in some cases, these complainants may make several complaints within a short period of time.

64. CSP C&IIB replied that each complaint would be considered on a case by case basis but if a series of complaints are stemmed out from one single incident in a short period of time, they would be counted as a single complaint. He further told the meeting that there were special provisions under IPCCO to handle complaints lodged by a complainant who appeared to have mental problem.

65. The Chairman updated the meeting that Ms Christine FANG, Mr Albert CHENG, Mr Eric CHEUNG and Dr Helena YUEN would join the working group with Ms Christine FANG as the coordinator. IPCC will conduct an in-house discussion before the actual meeting with the Police. The Chairman then invited CSP C&IIB to present the monthly statistics.

66. CSP C&IIB reported that there were 340 complaints in January 2010. Compared with 274 cases in January 2009, the increase in complaint was 24.1% or 66 cases in real term. Regarding the allegation of Neglect of Duty, there were 148 cases in January 2010 and 101 cases in January 2009. It represented an increase of 46.5% or 47 cases. In respect of Misconduct & Offensive Language, there were 121 cases in January 2010 and 98 cases in January 2009. It marked an increase of 23.5% or 23 cases. In terms of Assault, there were 36 cases in January 2010 and 42 cases in January 2009. It marked a decrease of 14.3% or 6 cases.

67. The Chairman commented that the figures for one month could not

reflect the overall complaint situation. He told the meeting that a more solid analysis would be available in the next joint meeting. The Chairman then requested CSP C&IIB to highlight any cases of interest in the Disciplinary and Criminal Checklist (DCL).

68. CSP C&IIB stated that there was no particular case of interest in the tabulated DCL.

69. The Chairman expressed his thanks to the Force and CAPO for their input in the meeting.

(V) ANY OTHER BUSINESS AND CONCLUSION OF THE MEETING

70. There being no other business, the meeting was concluded at 1740 hours.

(SIU Kit-hung)
Joint Secretary
Complaints and Internal
Investigations Branch

(Brandon CHAU)
Joint Secretary
Independent Police
Complaints Council

Complaint Trend Analysis 2009



Overview

	2008	2009	Change
Total No. of Complaints	2672	4257	+1,585 (↑ 59.3%)



Overview (Minor Complaints)

Minor Complaints	2008	2009	Change
NOD	1162	2112	+950 (81.8%)
Misconduct / Improper Manner & Offensive Language	758	1281	+523 (69%)
Total	1920	3393	+1,473 (76.7%)

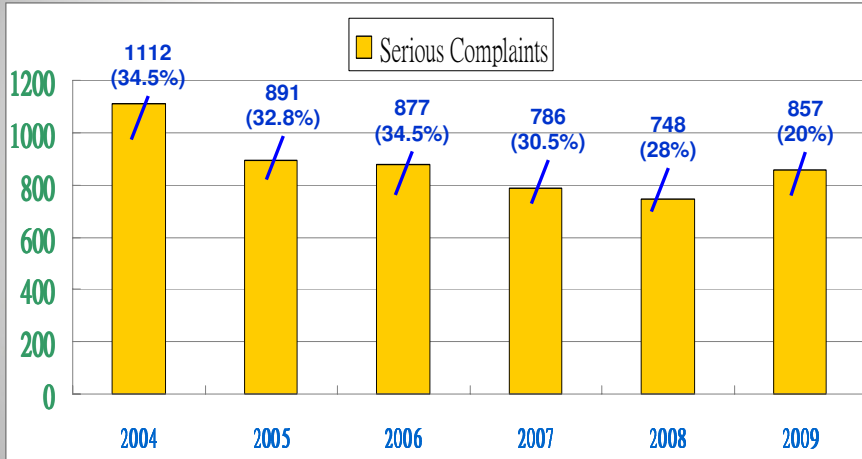


Overview (Serious Complaints)

Serious Complaints	2008	2009	Change
Total	748	857	+109 (14.6%)
Assault	399	455	+56 (14%)
FOE	112	99	-13 (↓ 11.6%)



Overview (Serious Complaints)



Analysis on 'Neglect of Duty' (NOD)

	2008 No. (% Total)	2009 No. (% Total)	Change
Misc. Report *	214 (18.4%)	559 (26.5%)	161%(+345)
Stop & Search / ID Checks	114 (9.8%)	220 (10.4%)	93%(+106)
Traffic Matter	282 (24.3%)	508 (24%)	80%(+226)
Crime Report	463 (39.8%)	774 (36.6%)	67%(+311)



* Includes Noise Complaints, Nuisance Complaints, Request of Police Assistance

Analysis on 'Misconduct' & 'Offensive Language'

	2008 No. (% Total)	2009 No. (% Total)	Change
Misc. Report *	66 (8.7%)	149 (11.6%)	126%(+83)
Stop & Search / ID Checks	102 (13.5%)	228 (17.8%)	124%(+126)
Traffic Matter	281 (37.1%)	510 (40%)	81%(+229)
Crime Report	285 (37.6%)	366 (28.6%)	28%(+81)



* Includes Noise Complaints, Nuisance Complaints, Request of Police Assistance

Enforcement Figure of 2008 and 2009

	2008	2009	Change
All Types of Report	1,335,034	1,345,867	↑ 0.8% (+10,833)
Fixed Penalty Ticket Issued	1,150,040	1,147,096	↓ 0.3% (-2,944)
Crimes Arrest	41,220	40,725	↓ 1.2% (495)

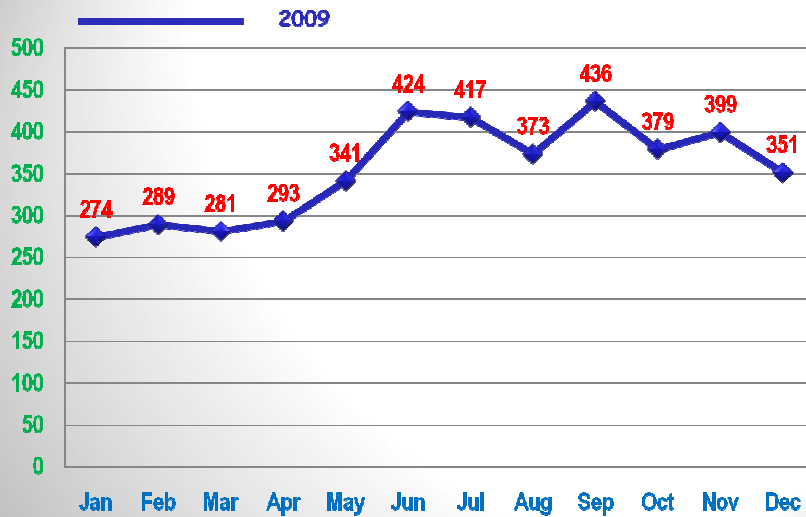


Crimes Figure of 2008 and 2009

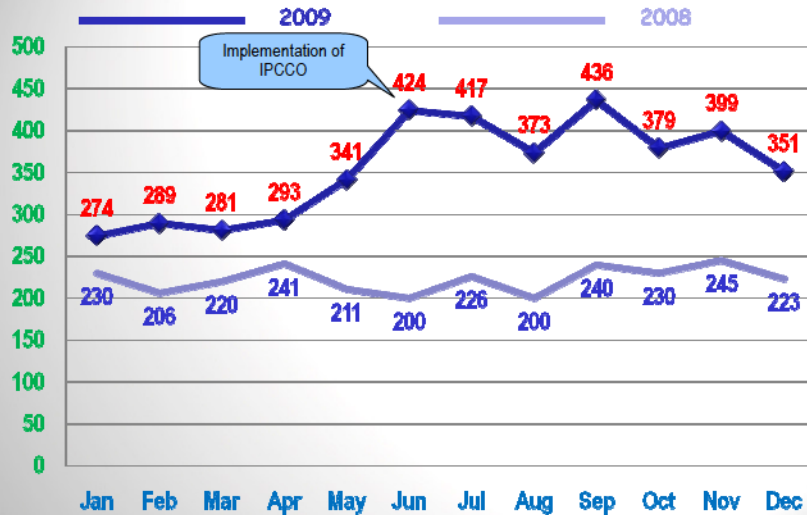
	2008	2009	Change
Overall Crimes Reported	78,469	77,630	↓ 1.1% (-839)
Violent Crimes Reported	14,429	14,193	↓ 1.6% (-236)
Overall Crime Rate per 100,000 population	1,167	1,108	↓ 1.5% (-59)
Detection Rate *	45.6%	45.6%	-



No. of Complaints Received in 2008/2009



No. of Complaints Received in 2008/2009



Observations

- Minor complaints account for 79.7% of the total complaints. Serious complaints ----- third lowest in the past 6 years.
- 93% of the additional cases are minor complaints.
- 87 % of NOD allegations relate to 'Crime Report', ' Misc. Report' and 'Traffic Matter'.
- 'Failing to investigate Case properly/thoroughly' is the most prevalent reason (62%) for NOD allegations.
- A gap exists between the outcome of police actions and the public's expectation.



Observations

- f) 86% of Misconduct and Offensive Language complaints originate from 'Traffic Matter', 'Crime Report' and 'Stop&Search / ID Checks'.
- g) The complaint figures, compared to our enforcement activities, remain very low. The sharp increase cannot be explained by changes in enforcement activities.



Observations

- h) While there is no obvious drop in police services, the sharp increase in minor complaints suggests that public hold high expectations on the Force.
- i) Rising public expectations and increase in awareness / confidence of the complaints handling mechanism following the enactment and implementation of the IPCCO could have contributed to the significant increase in complaints.



Way Forward

- Enhance complaint prevention efforts e.g. Complaint Prevention Committee at Major Formation / Formation level
- Enhance professional sensitivity of frontline officers
- More explanation of police actions
- Enhance public awareness of police duties and constraints



End

